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Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray. Eternal Spirit, You are sovereign and in good and in bad times our eyes turn to You. Fulfill Your purposes for our Nation and world by using our Senators as instruments of Your providence.

Lord, have Your way in our lives for You are the potter and we are the clay. Mold and make us as You desire, working for our good in all things for we are called according to Your purposes. Inspire our lawmakers to seek first Your guidance so that everything in time will fall into proper place. As they seek greater intimacy with You, empower them to relate honestly with themselves and one another.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 13, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. McCONNELL. Mr. President, this morning the Senate will continue to debate the motion to proceed to the Keystone XL Pipeline bill, with the time equally divided until 12:30 p.m.

Some of our colleagues on the other side of the aisle continue to filibuster the motion to proceed to the bill. All Senators should know that we will get on this bill today and begin the amendment process. We can do it the easy way or we can do it the hard way. Either we will get on it this afternoon by consent or shortly after midnight without consent. But we will get on it today.

It is surprising to me that some Democratic Senators are choosing to exercise their procedural rights in order to block their own colleagues from offering amendments to the bill, although at this point the only Senators who have filed amendments at the desk are Republican Senators.

I want to make it clear to everybody that we are committed to an open amendment process but not an open-ended one. So we are hopeful—I have read that Democrats have a number of amendments—that we will be given a chance to get on the bill and begin to offer amendments so the Senate can work its will.

KEYSTONE XL PIPELINE

Mr. McCONNELL. Mr. President, Democrats and Republicans cooperated last night to bring the Keystone Pipeline another step closer to construction. Thanks to that bipartisan cloture vote, the Senate can finally begin an open floor debate on this committee-vetted and approved legislation.

It is a debate many of us have actually been looking forward to—and not just because of the substance of what we are considering. But we have also been waiting a long time to have a debate where individual Senators actually matter again, which is why earlier I suggested that our colleagues on the other side of the aisle allow us to get on the bill and let us offer amendments. This is going to be an open process, but as I indicated, not an open-ended process.

This is a debate where Senators can offer amendments and have them considered by the Senators. It is a debate where Senators can make the voices of their constituents heard. That is just the kind of serious legislating many of us have been waiting a long time for, and the fact that we are finally seeing it today is a direct consequence of our constituents' calls for a functioning Congress. It is the latest example of the new Republican majority putting Congress back to work.

Getting Congress back to work means working to pass legislation that is good for jobs and for the middle class, and that is why we are focused on getting measures such as the bipartisan infrastructure bill over to the President's desk.

Even though he may not sign it—and we all know that he may not sign everything we pass—we are getting the Congress out of the business of protecting the President from good ideas. That is our commitment to the American people.

When it comes to the bipartisan Keystone bill, it is hard to see a serious reason why President Obama would

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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veto these jobs anyway. The Nebraska Supreme Court just cleared away the last pretense many of us could imagine. So we hope President Obama will listen to the American people, and we hope in the end, after due consideration, he will decide to sign it. But, no matter, we will not be dissuaded from our path of working for the middle class. The new Republican Congress is not going to stop working for more jobs and more opportunity.

Let's get the debate started. Let's see what Members of both parties can accomplish by actually working together, and let's continue trying to pass as many good ideas as we can, starting with this bipartisan jobs and infrastructure bill.

I yield the floor.

RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The assistant Democratic leader is recognized.

KEYSTONE PIPELINE

Mr. DURBIN. Mr. President, it is true that we are in the process of negotiating and discussing on the Democratic side the amendments that will be offered, and yes, there will be amendments offered. Senator BOXER has been part of this effort—and I just got off the phone with her—and she is now working with her staff to come up with amendments she believes will withstand any procedural challenge on the floor and, hopefully, those amendments will be brought up to the floor soon.

Senator CANTWELL, who is the floor leader on our side on this particular measure, is also open. There is no question that we will be prepared to and will offer amendments. We are trying to finalize the language at this point and the order in which the amendments will be offered.

We will be working with the Republicans once we have our own set of amendments in place. There is no effort to obstruct this process. We generally agreed that we would not be voting today on amendments. It is possible—before the end of the day—that we will have an agreement to move forward in terms of the submission and debate on the amendments and the votes to occur perhaps next week. But that is still unresolved, and we are still talking about it.

What is interesting is to put this in perspective. We are talking about S. 1. This is the very first bill offered by the new Republican majority in the Senate. It is a bill, as they say, to approve the Keystone XL Pipeline.

The Republicans' highest priority and their No. 1 bill now that they have majority status in the Senate is the approval of a pipeline project to benefit one company—a Canadian company—and create 35 permanent jobs. The highest priority of the Republican majority in the Senate is to debate and

pass a bill to benefit a Canadian company to create 35 permanent jobs.

This special interest, small-ball effort, is not a national economic or energy policy or a plan to make America energy independent. The Keystone XL Pipeline, sadly, is going to have a negative impact on the environment—and not just in the United States. It will literally affect all adjoining countries.

The tar sands that will be carried in this pipeline will increase the amount of pollution, greenhouse gas emissions—first when they are mined in Canada and later when they are refined. We know this because tar sands are currently coming into the United States—Canadian tar sands—and are being processed at a refinery in Wood River, IL. It is a refinery now owned by the Phillips oil company, and their refined product is distributed throughout the Midwest.

So the Keystone XL Pipeline is not the first Canadian tar sands pipeline. We already have a pipeline, and that existing pipeline—in the course of cleaning up Canadian tar sands so it can be made into products that can be sold on the market—generates something called petcoke. Petcoke is the waste product—the dirty part of the Canadian tar sands—that needs to be removed before they become viable petroleum products.

If you don't believe this petcoke is a danger, you only need to come to the great city of Chicago, which I am honored to represent. I visited the southeast side of Chicago. The British Petroleum refinery, which is at the end of Lake Michigan in the northern part of Indiana, refines the Canadian tar sands and generates, as part of the refining process, literally hills of petcoke—this black, sooty, nasty product they stack up near the refinery. Unfortunately, many times it ends up within the boundaries of the city of Chicago.

What impact do hills of petcoke have on a neighborhood? When the wind blows, this nasty, dirty product blows all over the homes, the families, and the children who live in that neighborhood. I have seen it. I have visited mothers with small children who try to seal the windows of their homes because this petcoke can get through any crack and into their homes, leaving a sooty deposit around them.

For those who argue that these Canadian tar sands pose no environmental threat, come take a look at these petcoke hills that are generated now by the process of refining this product.

Additionally, the Keystone XL Pipeline doesn't move us away from the dangerous tipping point which we face when it comes to climate change and global warming. In fact, it is going to speed up the day of reckoning. Leading scientists warn us that we are running out of time. As a Nation and as a world, if we do not accept the reality of what is happening to our environment, we are going to pay a heavy price.

According to the U.N. Intergovernmental Panel on Climate Change, at

least half of the world's energy supply will need to come from low-carbon sources in the future—wind, solar, even nuclear—by 2050, if we are going to avoid catastrophic climate changes. That barely gives us 35 years to do something for our kids and grandkids. This Keystone bill does not even acknowledge that reality.

I have come to the floor many times and offered the challenge which I will renew today. I believe the Republican Party of the United States of America represented in the Senate is the only major political party in the world today that denies global warming and climate change. It is the only major political party which refuses to accept the premise that is well established in science, well established by our departments, such as the Department of Defense, that our activity as human beings on Earth is changing the world we live in—and not for the better.

One Republican pulled me aside off the floor, after I made this challenge several times, and said: DURBIN, you are wrong. There is actually a political party in Australia that denies global warming as well. Well, that may be true, but the fact that they have such little company when it comes to this position suggests that our Republicans are denying reality. This bill denies that reality as well.

If it is about jobs, I suggest—not only to the majority leader but to the labor unions and to others interested in creating American jobs—that there are better alternatives in the energy sector. Solar power is already generating 3.4 million jobs in the United States. Remember, the Keystone XL Pipeline generates 35 permanent jobs, and, according to some estimates, maybe 40,000 temporary supply jobs for the construction of the pipeline. The Keystone XL Pipeline will create 35 permanent jobs while solar power is generating 3.4 million jobs in America. By the end of 2013, 24,000 of them were created just that year. Jobs were created in the solar industry at a growth rate of 20 percent over 2012. It is a growth industry for clean, green jobs. In Illinois, 9 solar projects employ almost 4,000 workers.

Solar isn't the only energy source we can invest in. Fuel cell technology doesn't get much attention but supports 11,000 jobs versus 35 permanent jobs for the Keystone XL Pipeline. The U.S. Department of Energy estimates that with the rapid increase in fuel cells, 180,000 new domestic jobs can be created by 2020 and 685,000 by 2035.

The International Renewable Energy Agency found the renewable energy industry in the United States responsible for 625,000 direct and indirect jobs in solar, biofuels, wind, biomass, hydro-power, and geothermal industries. That is a conservative estimate. So if we are interested in clean energy, if we want to do the right thing by our environment for our kids and grandkids and we want to create American jobs—this isn't 35 jobs, which is the highest priority of the Senate Republican Caucus;

this is looking at alternative sources of energy, which will create jobs and not destroy the planet.

The Keystone XL Pipeline will produce oil with a process that produces 17 percent more carbon than any conventional crude oils. That oil is going to be shipped, if the Republicans have their way, through a pipeline from Canada all the way to Texas, over and near thousands of lakes and aquifers that Americans rely on for clean drinking water.

After it reaches Port Arthur, TX—the original plan, which I think is still the case—it will be exported, so even the refined product is not going to be used here in America. So we ask our Republican colleagues: Where is your plan to make sure America leads the world in creating good-paying, green jobs for the future? Where is your plan to increase America's production of wind, solar, thermonuclear, cellulosic, and other forms of renewable energy? In fact, when it came to debating the extension of some tax benefits to these industries, many Republicans opposed it. They instead wanted to see us move toward initiatives such as the Keystone XL Pipeline.

So this is an important debate, and it is one that we ought to take in the context of the challenges our generation faces. We will either acknowledge the global environmental reality and deal with it, or we will have to answer to our children and grandchildren why we put the profits of 1 Canadian company and why we put 35 jobs ahead of a meaningful discussion about a national energy policy that is consistent with a clean and strong environment for years to come.

IMMIGRATION FUNDING

Mr. DURBIN. Mr. President, this evening I am joining with the Center for American Progress to host a screening of "Spare Parts," a new movie that tells the story of four students at Carl Hayden High School in Phoenix, AZ. These students were undocumented immigrants brought to the United States as kids. They started a robotics team at their high school that went on to great success. The movie itself was produced by actor and comedian George Lopez. He stars in it as the coach of the team; Jamie Lee Curtis as the high school principal; Carlos Pena, as Oscar Vazquez, one of the students; and Alexa Vega, as Oscar's girlfriend Karla.

I am especially excited about seeing the movie because I have known one of these students, Oscar Vazquez, for some time. Five years ago, I told Oscar's story here on the floor of the Senate. He dreamed of enlisting in the military and spent his high school years in junior ROTC. At the end of his junior year, a recruiting officer told him he could never serve in the military because he was undocumented. So Oscar found another outlet for his talent. He helped to start the robotics club at Carl Hayden High School.

Oscar and his three teammates entered a college-level robot competition, despite the fact they were high school kids, sponsored by NASA. They worked for months in a storage room in their high school to produce their competitive robot. They were competing against students from MIT and similar universities. The Carl Hayden High School team won first place in the robotic competition.

After high school, Oscar Vazquez went to Arizona State University, and in 2009 graduated with a degree in mechanical engineering. He was one of the top three students in his class. Following his graduation, he took a brave step. He voluntarily returned to Mexico, a country where he had not lived since he was a small child. He said, "I decided to take a gamble and do the right thing."

In 2010, the Obama administration gave him a waiver to reenter the United States. Otherwise, he would have been barred for 10 years. He would have been separated from his wife Karla and their daughter Samantha, both of whom are American citizens.

Oscar returned to the United States with the waiver from President Obama and he did two things: He applied for citizenship and he enlisted in the United States Army.

Oscar served as a cavalry scout in Afghanistan, fulfilling the dream he had as a child, and when he became a citizen of this country he was obviously willing to risk his life for it.

Last year, Oscar testified at a hearing I held about the benefits of allowing immigrants to enlist in the military. The Falcon Robotics Team, which Oscar and his friends started, is now a fixture at Carl Hayden High School.

I have told the story about two other members of that team.

Dulce Matuz graduated from Arizona State University with a bachelor's degree in electrical engineering and as a senior received an internship to work at the NASA space station. After graduation, Dulce couldn't work as an engineer, so she cofounded the Arizona DREAM Act Coalition. As a result of her leadership, she was named one of the 100 most influential people in the world by Time Magazine.

Angelica Hernandez served in junior ROTC and was president of the National Honors Society. She graduated from high school with a 4.5 GPA and graduated from Arizona State University with a mechanical engineering degree herself.

Why am I telling my colleagues about a movie called "Spare Parts" and the Carl Hayden robotics team? Because it puts a human face on what is happening today on Capitol Hill. It puts into perspective what the Republican-led House of Representatives wants to achieve this week. They are preparing to pass a bill in the House that would defund the President's immigration policies, including the very program—the DACA Program—that President Obama created by Executive order.

The DACA Program puts on hold the deportation of immigrant students such as those I have just described who grew up in this country and simply want a chance to be a part of our future. These young people—immigrants such as Oscar, Dulce, and Angelica—are known as DREAMers. They were brought to the United States as little kids. They didn't make a conscious effort to come across the border; they were brought here by their parents. They grew up in this country and they have overcome great obstacles to succeed. They are our future leaders. They will serve in the military. They will be doctors and engineers and lawyers and business leaders, if they are given the chance. The House of Representatives is determined not to give these DREAMers a chance to be part of America's future.

In the last 2 years, more than 600,000 DREAMers have stepped up, paid their fees, gone through the background checks, and were given this temporary status where they can't be deported. With that temporary status, they have gone on to do extraordinary things in this country. Many of them are already contributing. I mentioned Angelica, a former member of the Carl Hayden robotics team. She is working for Nexant Corporation where she specializes in renewable energy.

The Center for American Progress tells us that if we give legal status to these DREAMers, it will dramatically help our economy. These are great young people who want a chance to be a part of America's future. They can put \$329 billion into our economy, according to the studies, and create about 1.4 million new jobs. These are the sparks, the catalysts, the leaders who can help us build this economy.

But the Republicans in the House of Representatives want to deport them. They want to turn them away after they have had these educational opportunities in America. They don't want us to take advantage of their skills and talents. They are wrong.

Why do they want to eliminate DACA? Why are the House Republicans so determined to eliminate it? Because that is their way of getting back at this President. That is their way of trying to make us forget that the House Republicans refused for 2 years to call up immigration reform legislation. They refused to fix our broken immigration system, and when the President stepped in on an emergency basis, now they are resisting him and trying to deport these DREAMers. How can they explain this? How can they explain this to these young people who, through no fault of their own, were brought to the United States and who have not had an opportunity to succeed, as we all hope they will? This is obstructionism on the part of the Republicans in the House. We did pass the bill on a bipartisan basis in June of 2013, 68 to 32, for comprehensive immigration reform. The House had ample opportunity—over a year and a half—to

call up this measure and they refused. They refused because they knew it would pass. And that is why it is important for us to stand up and tell the American people what is at stake.

One of the most important things we can do is to face the reality that our immigration system is broken. And to fix this immigration system, we need to work together on a bipartisan basis. Let us not do it with a negative feeling toward these young people. Give the DREAMers a chance.

I will tell my colleagues this. If this bill comes over from the House of Representatives and this bill eliminates DACA, fate puts 1.6 million young DREAMers into the legal jeopardy of facing deportation, and then eliminates the rights of their parents who have children who are citizens or legal residents to stay in this country, then we are going to see a fight on the floor of the U.S. Senate. I think it is the responsible thing to do for us to stand up for these young people who had the courage to step out of the shadows, to register with their government, to submit themselves to a background check. The right and responsible thing to do is for us to stand behind them. There are so many amazing stories about these young people and to ignore them is to ignore America's legacy and roots.

We are a nation of immigrants. My mother was an immigrant to this country and I stand on the floor of the U.S. Senate honorably, I hope, representing the great State of Illinois, and really I hope a testament to what the sons of immigrants can do across America, and daughters as well. That is why this is an important issue for us to deal with and to do it forthrightly, and I urge my colleagues to resist this effort by the Republicans to deport 1.6 million eligible DREAMers and others who may stand the chance to make America a better and stronger nation.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

KEYSTONE XL PIPELINE ACT— MOTION TO PROCEED

The ACTING PRESIDENT pro tempore.

Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 1, S. 1, a bill to approve the Keystone XL Pipeline.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 p.m. will be equally divided between the two leaders or their designees.

The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak for up to

an hour to discuss the Keystone XL Pipeline.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I wish to address my comments to the Keystone XL Pipeline approval bill—the legislation currently before the Senate—which is the motion to proceed to this legislation. The cloture on the motion to proceed to this legislation was passed 63 votes in favor to 32 votes against last night. I thank my colleagues for that tremendous bipartisan vote, and of course the good news is that the vote advances us to the bill. We have to have another vote now to actually move to the bill today, and we are working through an agreement to hold that vote. Then we will be on the bill and in a position where all Members of this body can offer amendments—Republicans and Democrats alike.

We will have an open amendment process. We will have regular order. We can have an energy debate. Members of this body are going to get to do what they haven't been able to do in some time, which is offer their amendments, bring forward their ideas, and let's have that energy discussion, let's have these amendments brought forward and debated, and if they can garner 60 votes, they will be passed and attached to the legislation. This is how the Senate is supposed to work and I encourage my colleagues to participate by offering their amendments to have the debate and do the work of this body—the important work for the people of this great Nation.

I would like to begin the discussion today in support of the Keystone XL Pipeline, the Keystone XL approval legislation, which is the bill we have in front of us, S. 1.

I note that my esteemed colleague, the senior Senator from Utah, is here. He is a Senator who leads us on a variety of issues and has for many years in our caucus, as the chairman of the Finance Committee. He certainly understands tax policy and fiscal policy for this country.

This legislation we are considering is a jobs bill. It is about energy. It is about jobs. It is about economic growth. It is about national security.

The Senator from Utah is working on reforming our Tax Code and how we can stimulate economic growth in this country. So I wish to turn to him right at the outset and ask—as someone who truly understands how our economy works and how we have to build a good business climate in this country and how we have to empower the development of infrastructure, roads, and rails, pipelines and transmission lines as part of building an energy policy that will truly make this Nation energy secure—if he would take a few minutes and address not only this project on the broad basis of its merits, but particularly some of the economic aspects that are so important when we

are talking about growing our economy and putting our people in this country to work in good jobs.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, I wish to thank my distinguished colleague for leading this fight. He has been leading it for years now. It is such a no-brainer. It is amazing to me that we have to go through this again. I thank him for yielding to me, and I would like to associate myself with the many persuasive arguments that have been made here by my colleagues—both Democratic and Republican—urging the speedy passage of this legislation.

To me, the decision to approve this pipeline is an obvious one for a host of reasons:

It will support more than 42,000 good-paying jobs. I didn't quite get what the assistant minority leader was saying today on how few jobs it will create. It actually will support more than 42,000 good-paying jobs during its construction phase.

It will contribute more than \$3.4 billion to our gross domestic product.

It will aid in the goal of North American energy independence.

As the State Department's environmental impact statement found, building the Keystone XL Pipeline will actually be better for the environment than not building it. The energy resources the Canadians produce will reach the market regardless of whether this pipeline is built, and Keystone XL is by far the safest, cleanest, and most efficient means of doing so. What are the arguments against it other than phony environmental arguments? That was the State Department, controlled by them.

As a commonsense, bipartisan jobs and infrastructure measure, this bill is exactly the sort of legislation the Senate should be considering as its first order of business in this new Congress, but it should not have to be. The story here is about more than a single pipeline, no matter how many jobs its construction will create, no matter how important it is for our energy independence, and no matter how environmentally sound it is. This is a story about a regulatory process that is clearly broken. This is a story about special interests manipulating the bureaucracy to muck up a process that should be very simple and uncontroversial. This is a story about just one of many examples of tragically missed opportunities to create good-paying jobs and provide relief for household budgets across the country.

The application for approval of the Keystone XL Pipeline was first filed in September of 2008—more than 6 years ago. U.S. Senators have served more than a full term during that time. Children born after the application was filed are now in first grade.

The notion that any infrastructure project should be held up for such a long period is disturbing not just to me but I think to anybody who carefully

looks at this, but the delay of Keystone XL is even worse. Given the strong and well-documented economic and environmental case for the pipeline, Keystone is the sort of project that should have been quickly and easily approved for construction. But for some committed environmentalists inside and outside the Obama administration, common sense and balanced consideration of the facts no longer matter. Instead, to them, this simple pipeline has become a political symbol, regardless of what the science tells us. They have directed their ample energies at throwing up every procedural roadblock imaginable to the approval of the pipeline. As a result, this project has endured delay after delay.

Over the past few years, the American people have rightly developed the impression that Washington is broken. There can be no better example of the consequence of this dysfunction than the Keystone XL Pipeline sitting in bureaucratic purgatory.

When a project such as this—which is good for jobs, good for families, and good for families' budgets—gets bogged down in the Obama administration's redtape, it is absolutely the responsibility of Congress to act. Unfortunately, for years the Senate became a place where good ideas such as approving Keystone XL came to die, where control of the calendar and the amendment process prevented the consideration of so many good, bipartisan issues and ideas. Not only was the administrative process broken, but the Senate was also paralyzed and unable to step in and fix it.

By taking up this important bill as our first matter of consideration in the new Congress, we are taking steps to restore the Senate to the great legislative body it is meant to be, the place where Senators work across the aisle to meet the needs of the American people.

By coming together to propose a commonsense solution to get back on track this project which has become such a symbol of what is wrong with Washington, my friends from North Dakota and West Virginia are demonstrating exactly the sort of thoughtful, inclusive, and bipartisan leadership the American people have been demanding as they watched this greatest deliberative body in the world become the laughingstock of the world because we haven't gotten very much done. We haven't gotten very much done because of the way it has been run over the last number of years.

It is my sincere hope that we move quickly and desperately and deliberately to approve this measure and that we soon begin considering serious regulatory reform to prevent the sorts of abuses we have seen bedevil the Keystone XL project. The American people deserve an efficient and effective regulatory process that works for them. It is time for the Senate to deliver.

Having said these few words, I wish to personally thank my distinguished

colleagues from North Dakota and my colleagues from West Virginia for the leadership they have provided on this issue.

Senator HOEVEN is a former Governor. He knows what he is talking about. He is one of the most reasonable, decent, and honorable people in this body. He has shown a great willingness to work with both sides. He has continued to fight for this even though it has been uphill for more than 6 years. He has continued to fight for it because it is right. It is the right thing to do, and it is in our best interest to do it and to do it now.

Thank you, Mr. President.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I wish to thank the distinguished Senator from Utah for his leadership both today and over the past many years on this floor. I would like to pick up on a point he emphasized and did so very eloquently. He is in a unique position to comment on it, and that is the importance of having this open amendment process; having regular order on the Senate floor; allowing Senators, Republican and Democratic alike, to come forward and bring their ideas forward, bring their amendments forward, have this discussion, and do it in an open way.

The whole effort here is to produce good energy legislation that will help this country move forward but also to foster bipartisanship—to foster bipartisanship on this bill and other legislation so that we can get the work done that this body needs to get done on behalf of the American people. That is what this is all about. This is about getting the work done for the American people on the important issues our country faces.

That is why this bill is S. 1—not just because it is important energy infrastructure legislation, not just because we need to have this debate on energy, not just because we need to advance legislation to help build our energy future, but because it is truly an effort to get this body working in a bipartisan way on this and other important issues for the American people. That is what the American people want. They want us to get the job done.

Again, I thank the Senator from Utah for bringing out the important fact and discussing why it is so important that we approach legislation in that way.

I would like to turn to my good friend, the senior Senator from the great State of Arkansas, somebody who I think really has a good understanding of how our economy works and what needs to be done, somebody who has good relationships on both sides of the aisle, which is so important as we try to build support for this and other legislation, and somebody whose State is directly affected by this project. I know he will agree with me that it is very important on behalf of the State

of Arkansas that we move forward with the Keystone XL Pipeline project. I think a very high percentage of the pipe that goes into this project—about a 1,200-mile-long project—is actually manufactured and made in Arkansas. So that is a clear benefit for the manufacturing industry and workers in the State of Arkansas that correlates directly to this project and to this legislation.

So I would like to turn to the senior Senator from Arkansas and ask him about that and ask him to tell us about the importance of this project in terms of what it means to the great State of Arkansas.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. It is a pleasure to have the opportunity to talk about the Keystone Pipeline. I also wish to thank the Senator from North Dakota for his tireless efforts and his leadership on behalf of getting the Keystone Pipeline project moving.

For the past 6 years I have urged the administration to approve the project. I voted for legislation to speed up the pipeline construction. This pipeline makes sense for job creation and the future of our Nation's energy supply.

In a recent email survey sent to more than 30,000 Arkansans, I asked what issues the new majority in the Senate should focus on in the 114th Congress. Participants told me that one of their top priorities is an "all of the above" energy policy that addresses current and future energy needs.

The Senate has an opportunity to pass legislation that is a commonsense plan to improve our Nation's energy supply by approving the Keystone XL Pipeline. Tapping into these Canadian oil sands will offer us a reliable source of energy from one of our strongest allies and trading partners. This is good news as we work to reduce our dependence on oil from regions of the world that are hostile toward our country, and it is good news for Arkansas. Here is why.

Approval of this infrastructure project will mean jobs. This is one reason it has the support of both parties. Organized labor has been very vocal in support of the pipeline. Unions understand that this infrastructure project will create well-paying jobs for skilled laborers, and it will do so at no expense to the taxpayers. And it is not just unions; certainly businesses are supportive of the pipeline too, as well as an overwhelming majority of Americans.

Last month, as the Senator from North Dakota alluded to, I toured the Welspun Tubular Company, the Little Rock-based company hired to produce hundreds of miles of pipeline for the project. Company officers estimate that 150 jobs will be created just to load the pipe onto the railcars for shipment when the project finally gets the green light.

The economic impact has wide reach to Arkansans. Blytheville's Nucor Corporation was slated to make some of

the steel for the pipeline, and there is a trickle-down impact throughout the State.

A central Arkansas Caterpillar employee wrote to me about the importance of this project to his job because of its impact on his livelihood. "The Keystone pipeline project would be a huge boost to us," he wrote.

Once built, the infrastructure will provide a safe and reliable supply of energy. Currently, this oil is transported from Canada to refiners by rail and truck. A new, modern pipeline poses less risk to the environment than these current modes of transportation. The project will help maintain lower fuel prices, which is good for all Americans.

At every hurdle, using science and common sense, this project gets the green light. Last week Nebraska's Supreme Court upheld the State's law approving a route for the pipeline through the State.

Time and again this project passes the test, but the President has threatened to veto the bill. This isn't surprising considering the administration spent more than 6 years analyzing this and punting a decision down the road until further studies have been conducted. The pipeline is being studied literally to death. It is ready to go. Yet the President is still looking for ways to stop it.

The American people deserve this affordable energy. They deserve well-paying jobs. Both can be accomplished by building the Keystone Pipeline.

Again, I thank the Senator from North Dakota for his tireless efforts in the past 6 years trying to get this project off the ground. The good news is I think we have made real progress.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I would like to thank the Senator from Arkansas and once again point out this is another State that will benefit from this project. This is a State far removed from the route of the project. As I pointed out in earlier debate on this floor, all of the States on the route, from Montana to Texas, have approved the project—all of them. They have all approved it. The only entity still holding up the approval of the Keystone XL Pipeline is the Federal Government, the Obama administration.

All of the States have approved it. Those States on the route will realize tremendous benefits from the construction—from the construction jobs, from the hundreds of millions of dollars they will receive in tax revenues, payment in lieu of taxes at the State and local level. They will receive tremendous benefit from this project, not to mention of course the benefit the whole country receives as we become more energy independent by working with Canada to truly achieve North American energy security.

But here is a State, Arkansas, far removed from the route of the pipeline. I do not think the oil will—I do not

know about refineries in Arkansas. I do not think there are refineries there that it will go to. It will go to refineries in States such as Louisiana and Texas and so forth.

But even still, Arkansas will benefit directly from this project because they manufacture much of the pipe that goes into the project. Those are good manufacturing jobs that not only benefit those workers, but then you have the secondary impacts. Once again I thank the Senator from Arkansas for coming down to the floor and taking a few minutes to point that out.

We will continue over the next several weeks to talk about the benefits in other States as well. I thank the good Senator from Arkansas at this time. Even though I have floor time reserved until about 11:15 or a little more, I would like to actually stop and allow the Senator from Washington to talk about her views on it. I know she is not—of course, I work with her on the energy committee. She is our ranking member. I enjoy and appreciate working with her, but I understand she shares different views in this case.

I ask unanimous consent that her time for the next 10 to 15 minutes, as she needs, not be counted against my time. I would be willing to defer so she can speak at this time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. CANTWELL. I thank the Senator from North Dakota. I know we are going to be going back and forth on this issue and that we have other people coming. Later this morning we are going to have time divided. But I appreciate the Senator from North Dakota allowing us to join in the debate this morning and make a few points.

I do want to say I appreciate the hard work of the Senator from North Dakota on the energy committee in general. I look forward to working with him on many energy policies. He and I have worked together on a couple of different agricultural issues. I certainly appreciate his due diligence, but needless to say I do not agree with the process of moving forward with this motion to proceed to the Keystone XL Pipeline bill.

Many of my colleagues are going to be coming down and talking about the issues. Two of my colleagues, including the Senators from Utah and Arkansas, along with the Senator from North Dakota, brought up a couple of different points. But in my mind, they are talking about a 19th century energy policy and fossil fuel instead of us focusing on what should be a 21st century energy policy for our country.

It is unfortunate that S. 1 is a very narrow, specific, special interest measure for a pipeline that did not go through the proper channels of a permitting process and because of that is flawed. As people are heralding it as the new Congress.

This process continues today with people saying: Let's just give it more

special interest attention and approve it. I believe America should be a leader in energy policy and that our job creation is dependent upon that energy policy for the future. We want to see America be a leader in this. I applaud the fact that the President reached a climate and clean energy agreement with China.

We are over 60 percent of the world's energy consumption. If the two countries can work together on a clean energy strategy, I guarantee that will be good business for the U.S. economy. In fact, I read a statistic that something like 50 percent of all energy is going to be consumed by the buildings in China—there is huge growth in building development, but they do not have good building standards so those buildings consume too much energy. So there is a lot to do on energy efficiency that will grow U.S. jobs and help us. That is why we would rather see us focusing on some of the energy policies that we did in 2005 and 2007. Those things unleash huge opportunities for American jobs and huge opportunities for American consumers to get a better deal and not be subject to price spikes.

The 2007 bill had fuel efficiency standards in it and laid the foundation for the growth of the hybrid electric car industry and has added over 263,000 jobs in the last 5 years. That is the kind of smart policy we should be pursuing. We also have had energy bills that made investments in clean energy tax credits, something I was just talking about with my colleague from Utah, saying we needed to move forward on energy tax credits. If there is nothing else that we should be doing, we should be doing that as S. 1, because the predictability and certainty we would be giving to that industry would certainly unleash many jobs.

So the 2005 and 2007 energy bills that we did in a bipartisan fashion helped foster an energy-efficient economy and helped support 450,000 jobs according to a 2011 Brookings Institution report.

These are examples of the types of things we have done in the past that have unleashed investment, and have grown jobs in the United States of America. They are important milestones in the type of clarity Congress can give to the private sector to spur growth and development. I can guarantee this is the opposite of that. This is about a special interest deal and overriding a process, including the White House process and local government process, that is so essential.

Two examples of what we should be doing instead: As I said, the energy tax credits which have been delayed. As my colleagues from Oregon pointed out at the end of last year, we basically authorized them for about 2 more weeks in December. That was about all the certainty we gave the industry. A McKinsey report has estimated that providing the right incentives for retrofitting buildings and energy efficiency would help employ 900,000 people over the next decade; that the wind energy tax credit would employ 54,000

people, and there are other issues about modernizing our grid and new technology storage.

There is also very important work to be done in the manufacturing sector; that is, to help unleash innovation by making sure we set standards on improving efficiency and focusing on lightweight materials for both automobiles and aviation. We have seen huge job growth in the Pacific Northwest because we were able to transform aerospace into lighter weight materials. We are also working on a biojet fuel.

So all of these things mean we have to get the R&D right, we have to get the tax credits right, and we need to help protect consumers from spiking energy prices. This is the evolution. I do not think anybody in America thinks we are going to hold on to a 19th century fossil fuel economy forever. The question is, Whether Congress is going to spend its time moving forward on a 21st century plan that gives the predictability and certainty to unleash that leadership and capture the opportunities in developing markets around the globe or whether we are going to hold on to the last elements of fossil fuel forever and leave our constituents more at risk.

But I would like to take a few minutes and talk about this process my colleagues are trying to describe as to why we need to hurry. Because I can guarantee that is what people have been trying to do all along, hurry this along for a special interest. I do not believe that is good for the American people. I do not think it is good for this process.

If we think about where we have been, this process is about people who are trying to push a route through no matter what the circumstances. Every State, people are saying, has approved this process. I can guarantee there are a lot of people in Nebraska and a lot of people in South Dakota who do not agree with that. They are very concerned about the public interest.

Unfortunately, in the case of the Keystone XL project, landowners and ranchers in Nebraska affected by the pipeline did not feel they were afforded equal opportunity before the law. In their view the process was set up to benefit a special interest, the TransCanada Corporation. On three separate occasions, beginning in 2011, the Nebraska Legislature passed carve-outs to circumvent the role of the public service commission to approve the Keystone Pipeline.

If this was such a great deal, why can't it go through the normal process, as in every other State, with a transportation and utilities commission ruling on siting? Why do we have to take the public interest out of it? The first carve-out included the Major Oil Pipeline Siting Act of 2011. So this bill laid out the rule that the public service commission determined whether a new pipeline project was in the public interest. In making this decision, the legis-

lature required that the commission consider eight criteria.

Among them: the environmental impact of water and wildlife and vegetation, the economic and social impact, the alternative route, the impact to future development in the pipeline's proposal, and the views of counties and cities. OK. That all sounds great, right? That is what the legislature says they should be considering. But the legislature also required the commission to hold public hearings and have public comment—OK, we are still on the right track—and importantly required the commission to establish a process for appealing the decision, so that any aggrieved party could have due process rights under the Administrative Procedures Act.

Here is the punch line. Tucked away in that Nebraska legislation was a special interest carve-out that exempted TransCanada—Keystone XL—from having to comply with the public service commission process. Specifically, the legislation stated, “. . . shall not apply to any major oil pipeline that has submitted an application to the US Department of State pursuant to Executive Order 13337 prior to the effective date of this act.”

There was only one company that qualified for this special interest exemption at the time of that legislation; that was TransCanada. So you got it. The legislature basically exempted them from that process, even though they were stating that these are the processes that you should go through. So at the very time the legislature created new rules for due process on the pipeline, it exempted them from those rules. I do not understand why TransCanada cannot play by the rules, but I guarantee you Congress does not have to join in and make S. 1 a special interest bill. They should make sure everyone plays by the rules.

In this same legislative session, the Nebraska legislature also passed the Oil Pipeline Route Certification Act. This bill provided Keystone XL with an expedited review process by the Nebraska Department of Environmental Quality and gave the sole authority to approve the project to the Governor. Unfortunately, for the legislature and for TransCanada, these carve-outs quickly became irrelevant because President Obama denied the application in 2012. That is in part due to the fact that Congress had decided to try to intervene in the matter. That is when Congress said this is important and we should go ahead and do this.

I am going to get into more detail on that in a second. This is important to understand because the initial Nebraska legislation was so narrowly tailored, it was designed to benefit the TransCanada pipeline and its pending date of enactment. What happened next? The legislature went back to the drawing board and created a third new special carve-out for the Keystone XL Pipeline.

The day following the President's denial of TransCanada's application, a

new bill was introduced in the Nebraska Legislature. This bill was yet another path around the existing due process afforded to citizens in that State. The legislation allowed the company to choose whether to go through a formal process with the public service commission or seek expedited review with the Governor. I am sure a lot of U.S. companies would love to have that opportunity.

These are U.S. companies that have to pay lawyers, go through environmental processes, make sure all of the issues are addressed. I am sure American companies would love to know any day of the week they can just go past a utility commission and get the Governor to stamp “approved” on their project. Under this expedited approach, the legislature authorized the Nebraska Department of Environmental Quality to independently conduct an environmental impact report. However, unlike due process required by the public service commission, this process required only token outreach to the public.

There was just one public hearing in 2012. This special process provided no recourse for aggrieved parties. There was no formal appeals process. Other than the courts, there was no administrative process with the ability for stakeholders to challenge the facts as a matter of record to base their formal appeal on. These are fundamental differences between an expedited consideration within the Governor's office and a process requiring a public interest determination by relevant decision-makers at a commission.

I know my colleagues here would like to argue that somehow this has been a long, drawn-out process. This has really been a process by one company constantly circumventing the rules on the books and trying to get a special deal for approval. We have to ask ourselves why. Why do they want to proceed this way?

I know my colleagues always like to talk about their neighbors. My neighbors in British Columbia are not so thrilled about tar sands pipeline activity. They are not interested in it. So maybe that is why TransCanada wants to hurry and get this process through in the United States.

I ask my colleagues, do you have confidence the public interest was really taken into consideration—that you run over the interests of private property owners on these issues? Was the department of environmental quality evaluation comprehensive?

I can say one Nebraska landowner described the report as “an incomplete evaluation of a natural resource with the magnitude of the Ogallala Aquifer, and now it is left in the hands of TransCanada to do their own policing.”

Another family, who has been ranching for more than five generations in Nebraska, said the process left landowners with nowhere to turn with their concerns of erosion, water contamination or eminent domain.

Another landowner had this to say about circumventing the process in Nebraska:

I feel it is not in the best interest of Nebraska, nor the citizens of Nebraska, to have our legislators crafting special legislation to meet the specific demands of an individual corporation.

I couldn't agree with them more. That is exactly what we are trying to do today.

The same stakeholders in Nebraska have also questioned the appearance of conflict of interest associated with the Nebraska Department of Environmental Quality report since it was prepared by a contractor who also worked for TransCanada and Exxon on different joint pipeline projects.

Meanwhile, a majority of the State Supreme Court, 4 out of 7 justices, just last week ruled that the legislature and the Governor's actions were unconstitutional.

The PRESIDING OFFICER (Mr. FLAKE). The Senator has consumed 15 minutes.

Ms. CANTWELL. I ask unanimous consent that I be given an additional 2 minutes to wrap up.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. My colleague has already given me some time this morning—and I can certainly come back and add more to the debate—but what I am outlining is exactly how this process has circumvented the laws of this land. One more action by this body is exactly what this special interest company is seeking.

If Congress had succeeded in pushing the President of the United States into agreeing to the original route through Nebraska in 2011, the route would have been right through the Ogallala Aquifer. Even TransCanada had already agreed that it needed to change the route. I don't know why we are being asked to push something through when we really should allow the State Department to do its job.

I will have much more to say on this process of the circumventing of public interest; about the devastating spill in the Kalamazoo River, and the fact that we don't know all we need to know about tar sands cleanup in water; and the fact that Midwest gasoline prices could be affected if this pipeline is approved.

There are many issues. So I will gladly debate this with my colleagues throughout the rest of this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I wish to resume my time for the colloquy.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. HOEVEN. I will take a couple of minutes to respond to the points that my colleague on the energy committee just brought up with regard to both the process and also in regard to the timeline for approval of this project. Then I will turn to my cosponsor, the

Senator from West Virginia, and get some of his input on the project.

Now we are starting to get into the kind of debate that we have wanted from day one. I had the good fortune to serve as Governor of my great State of North Dakota, and the good Senator on the floor with me from West Virginia was Governor at the same time of his State of West Virginia. We worked together many times on issues. I am a Republican, and he is a Democrat. We found common ground as Governors, and we found common ground in the Senate.

This is what this is all about. This is what we want to have happen among our colleagues so we can get this and other important legislation addressed, passed, and help our country.

But before I turn to my colleague from West Virginia, I wish to touch briefly on a couple of points that the ranking member of our energy committee brought up a moment ago. As she said, she opposes the project. I understand and respect her views, but she talked about the length of time the approval process takes.

What I have to point out is that we have been in this approval process now for more than 6 years. So when she talks about needing more time to get the project approved, it is hard to understand how we are going to have a working, functioning economy, how we are going to get the private sector to invest the billions of dollars it takes. This project alone is the largest shovel-ready project that is ready to go—just under \$8 billion, \$7.9 billion—and it has been held up for more than 6 years.

America got into World War II and won the war in less than 6 years. Building the Hoover Dam, I believe, took less than 6 years. If we are going to create the kind of environment where we stimulate investment by the private sector, get our economy growing and growing and get people back to work, we can't hold private investment up.

Remember, not one penny of Federal spending—almost \$8 billion, almost all private investment that will help create jobs, help grow our economy, create hundreds of millions in tax revenue, help us to build our energy future, help us with national security by being energy secure—all those things—and the Federal Government has held them up for more than 6 years.

How can we argue that there is any process there that works in any kind of a realistic or commonsense way when it has been up for more than 6 years.

Specifically—as regards the State of Nebraska—in 2012 I put forward legislation which we passed in this body attached to the payroll tax holiday that required the President to make a decision.

We didn't tell them what decision to make. We just said: Hey, you have to make a decision. At that point the project had been under review for 4 years—long enough, Mr. President, to make a national interest determination. That is what the legislation said

that we attached to the payroll tax holiday. It passed with 73 votes.

The President at that time said: No, I am not going to make a decision on the project now because of what he perceived to be the problem with the route in Nebraska.

Remember, this project goes through States from Montana to Texas. Here it is. Remember, it is not carrying only Canadian crude. It carries crude from my State of North Dakota and the State of Montana. Light, sweet Bakken crude goes into this pipeline as well.

Everyone talks about the Canadian crude, but they forget that this moves domestic crude as well. My State alone produces 1.2 million barrels of oil a day, and we are moving 700,000 of barrels a day on trains because we can't get enough pipelines. Here we want to put 100,000 barrels a day into this pipeline, and we have been waiting for 6 years putting more and more oil on rail cars, congestion on the rails. We can't move our agriculture products, and we have been held up for 6 years. But in 2012 we passed that bill.

This body passed it, then the House, and it went to the President. Then he turned it down because he said the routing wasn't right in Nebraska. There is an objection here. Here we see the pipeline goes through Nebraska.

He said: No, I am not going to approve it at this point because they have to square it away in Nebraska.

In Nebraska, the State legislature, the elected body of the people, went to work with Governor Dave Heineman, a good friend of mine, and the Senator from West Virginia as well. We served with Governor Dave Heineman.

The elected body of the people, the legislature, went to work with the Governor. They went through a long process. They rerouted the pipeline to address any concerns regarding the Ogallala Aquifer and any other concerns that had been brought—a long laborious process—and approved it.

Every State on the route has approved the project. They have all approved it. They have had 6 years to do it. So it wasn't like they had to hurry, but they all approved it. Yet the Federal Government continues to hold it up and say: Oh, well, we have concerns.

Now, my esteemed colleague from Washington, who opposes the project, said that she was concerned about the supreme court decision.

Well, remember, the supreme court decision came up because after the State of Nebraska approved the project, then opponents challenged it, forced it into court, and it went to the Nebraska Supreme Court. The Nebraska Supreme Court found in favor of the Governor and the legislature for the State of Nebraska. They found in favor of the route, and the State of Nebraska said that is as it should be—OK.

So that is all that was covered at great length by the elected representatives of the State of Nebraska and the Nebraska Supreme Court. I mean, how much more does this take? Furthermore, there is the point that my colleague was making: Well, if we had

rushed, somehow this would have been a problem.

We put it in the legislation in section 2, under the private property savings clause, to make sure that if there is any issue such as that it is addressed in this legislation. So the very concern that she has raised is in the legislation.

The reason it is in there is because the good Senator from Montana—which is also on the route—Mr. TESTER, wanted this provision in the bill. He is also a Democrat. In showing the bipartisanship of the bill, he said: Well, let's make sure we take care of that. So we put language in the bill to make sure that the language we just addressed on the floor is addressed. It is very short, and I will read it—section 2, subsection (e):

PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing in this Act alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described in section (a).

So we tried to make sure—and furthermore—let me also read judicial review. That section is long, and I won't read it. But we also provided for judicial review so that if any of those issues are a concern—in addition to the language we put in to protect States rights—you also have judicial review. I don't know how much more we can do to make sure any and all concerns she just raised in regard to the process of the individual States is protected.

Again, I make the case today that we have all gone through great lengths to approve the project. The only entity blocking it now after more than 6 years is the Federal Government.

There is one other point I would make briefly before turning to the Senator from West Virginia. The good Senator from Washington talked about alternative energy sources, renewable energy sources, other energy resources, and how we need to develop them. They create jobs, and that is great.

This is a note on which I will turn to my cosponsor, the distinguished Senator from West Virginia. We are for “all of the above” energy approach, but we have to get over the idea that somehow they are mutually exclusive. We go forward and build important infrastructure so that we can make sure that we don't have to import oil from OPEC or from countries such as Venezuela or from other parts of the world, to ensure that we can be secure in energy and that we can produce as much or more oil than we consume—both domestic oil production and in Canada. We need the infrastructure.

But that in no way precludes the development of any other sources of energy. They are not mutually exclusive. So to say that we should be doing one and not the other—how does that make sense? Let's do them both.

On that note, I turn to my colleague. Ask anybody in this body, particularly those coming to the Senate as a former

Governor. He is somebody who not only is very bipartisan in his approach to all of these issues, somebody who has not only advocated for producing all of the above in terms of energy, but somebody who has done it in his time as Governor.

So I turn to my colleague and say: Can't we do both? Isn't approving this part of doing it all?

Mr. MANCHIN. First, I thank the Senator from North Dakota, my friend, for taking the lead and working with me so closely. I am very excited about the process, the open amendment process.

We are learning a lot in debates, a lot of good ideas are coming out of this. When all is said and done, we will have a better piece of legislation. That is what this is all about.

Let me make sure everyone understands this is not all about pipelines. If this is about an XL pipeline or any other pipeline, we wouldn't have a hundred thousand miles of pipeline in America already. Since the Industrial Revolution we would not have built all the pipelines needed to carry the energy that we need to run this country. This is not about pipeline.

This is about the concerns we all have with greenhouse gas emissions and the development of the oil sands in Canada—nothing to do with the pipeline.

With that being said. We have to be very clear that Canada is going to develop the oil sands whether or not the Keystone pipeline is built. That is a fact, and we have talked about this.

The State Department—our own State Department in this great country of ours, the United States of America—has conducted five environmental assessments of the Keystone Pipeline and have found in all of them that the project will not have a significant impact on the environment. Now these are the things we have to be cognizant of.

The State Department also found the pipeline is unlikely to significantly affect the rate of extraction in Canadian oil development. That means whatever we do here is not going to change the rate of development in the oil sands.

The State Department also examined alternatives to the proposed XL Pipeline. These alternatives included what would happen if no action were taken at all. Let's say we do nothing here; that nothing comes about with this pipeline. Likely, the crude would be shipped westward by rail or by tanker. That is happening today. So they are going to ship it anyway. And if that continued, it would be considered no action. If we take no action here and don't build this pipeline for whatever reason, the greenhouse gas emissions—which we are all concerned about, and our debates are about that, really—will be between 28 to 42 percent higher if we do nothing.

So those people who are concerned about greenhouse gas emissions should say: Well, OK, why do we want to con-

tribute to more? The pipeline decreases that. If we don't do it, we have 28 to 42 percent more emissions by how we will move this oil. So the pipeline addresses our energy security limits, and I have talked about that before, and our dependence on foreign oil.

I have said this many times. We all are entitled to our opinions, and I think we are all going to hear all those opinions in the next couple of weeks. But what we are not entitled to is our own set of facts, because the facts are what they are. I have said this before, and I will repeat it again, and I will continue to repeat: We buy, as of the 2013 figures from the Department of Energy's EIA, we—the United States of America—buy 7 million barrels of crude oil a day. Whether we like it or not, we are buying it. Now, I am sure people say: I wish we didn't. Well, that is what it takes for our economy to run. We are buying that oil—7 million barrels a day.

Then we need to look at where the oil is coming from. If you are upset with Canada producing oil, we already buy 2½ million a day from Canada right now. We are already dependent upon Canada for 2½ million barrels a day.

We also buy oil from other countries, and I think we should all question why we are buying oil from these other countries, especially when we look at Venezuela. We buy 755,000 barrels a day from Venezuela. They are an authoritarian regime that impoverishes their citizens. We know that. They violate their human rights and have shown their willingness to put down political protest with horrific violence. Yet we are supporting that by purchasing a product from them which they then use the resources from to continue this type of regime.

The same here: In 2013, we bought 1.3 million barrels from Saudi Arabia. Now I don't know about my colleagues, but I question whether the resources from that or the proceeds from that oil that we paid Saudi Arabia for were used for the betterment of the United States of America, for our best interests. I have my doubts about that.

We also buy over 40,000 barrels a day from Russia. I don't need to say anything about what is going on there. I think we all know that.

The Keystone Pipeline would allow us to safely import more oil from a stable ally and one of our best trading partners. In fact, it is the No. 1 trading partner of 35 of our 50 States in the United States of America. Our No. 1 trading partner is Canada. It is also the most stable regime we have, the best ally we have ever had.

The pipeline will have a final capacity of a little more than 800,000 barrels a day. So right there we could stop buying any oil from Venezuela or cut down dramatically the amount of oil we buy from Saudi Arabia and become less dependent. We can continue to produce energy in North America while stabilizing global supply as well as benefiting Americans and our allies.

In fact, last year, one of President Obama's former national security advisors—one of President's former national security advisors, Retired Marine Gen. James Jones—told the Foreign Relations Committee:

The international bullies who wish to use energy scarcity as a weapon against us all are watching intently. If we want to make Mr. Putin's day and strengthen his hand, we should reject the Keystone.

Let me repeat that:

If we want to make Mr. Putin's day and strengthen his hand, we should reject the Keystone. If we want to gain an important measure of national energy security, jobs, tax revenue and prosperity to advance our work on the spectrum of energy solutions that don't rely on carbon, it should be approved.

So you have to decide which side you are on. Do you want to make Mr. Putin's day or do you want to find alternatives and use all of the above and be less dependent on foreign oil?

In addition to our national security interests and energy independence, this bill will also create thousands of jobs. I think we have talked about that. I hear the argument: Well, yes, but they are not going to be permanent. You know, we have built a lot of bridges in America, a lot of infrastructure, and a lot of roads. I don't know of any permanent jobs we have after we build a bridge, but we have a lot of good construction jobs when we are building the bridge. I don't know of any permanent jobs after we build a road, but we have a lot of good construction and high-paying jobs. And when you start looking at that, the building and construction trades, the teamsters, the AFL-CIO, all of our friends of working Americans, the middle class—the hard-working Americans—support this piece of legislation. They want these jobs.

Our own State Department says it will create about 42,000 jobs to construct the pipeline and thousands of other related jobs. So why don't we seize the opportunity?

We talk about amendments. This is an open amendment process. A lot of my colleagues, a lot of my Democratic colleagues on my side of the aisle, have some great ideas and I am going to work with them. I agree with my Democratic friends that companies shipping oil through this pipeline should pay the excise tax to the oilspill trust fund. There is no reason they should be exempted from these payments. I am going to work with them to put that amendment in. It is a good amendment and it will strengthen the bill. That is what the amendment process is about.

I agree also with my colleagues on the Democratic side that any steel needed in the future on this product should be bought from American steel companies. That is great. That is promoting more jobs in America: Buy American steel. Don't let them dump on us. We should be supporting American jobs.

I also agree with our friends we shouldn't export any of our oil abroad.

If that oil comes to America, it should be subjected to the same laws as all the oil that is extracted in America. So if we extract in the Balkans, if we extract in Texas, we treat them all the same. Those are all good amendments.

I would like to think this process will strengthen a piece of legislation and hopefully give us 68, 70 votes. That would really give us a good piece of legislation for the American people.

We have been promised an open amendment process, and I am so thankful for that. This presents an incredibly valuable opportunity to accomplish some of our Democratic priorities—some of our Democratic priorities that we talk about all the time on my side of the aisle. I believe the process will improve the bill, and I hope to convince my colleagues to support this important piece of legislation.

Let us get the needed votes we need to make sure we move our country forward, become less dependent on foreign oil and more self-sufficient and more secure as a nation.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. I know we have several colleagues who want to come and speak on other issues this morning, and then we have some Members who want to join back in on this debate, but I want to make a few points and finish up my remarks from earlier and then yield to our other colleagues.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I ask the Senator to yield for the purpose of a question. I want to understand the time. I need about 3, 4 minutes to wrap up. I did relinquish 15 minutes for the other side, so I would request 3 to 4 minutes to wrap up and then I would certainly yield the floor to her.

Ms. CANTWELL. Go right ahead.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. HOEVEN. I just want to wrap up.

I want to thank the Senator from West Virginia. I am glad we are engaged in this debate. I think we should debate all aspects of it, as we are, and I look forward to that continuing effort.

I do, though, want to wrap up on a point as to the environmental impact. We have talked about a number of different aspects of this pipeline project. We are talking about taking great care in the approval process to address all the issues at the State level. We have talked about making sure we put provisions in the bill to respect that State process. That has been going on for more than 6 years and, obviously, it is now well past time for the Federal Government to move forward and make its decision.

But again, back to that process. If the President continues to oppose this legislation—and he has indicated he will veto it because he has a process and he hasn't finished the process—then he needs to demonstrate and fin-

ish the process. He indicated he was holding out for the decision in Nebraska. Well, the decision in Nebraska has been completed. So if there is a process, if there is a real process, then he needs to make a decision and he needs to tell us when he is going to make that decision. And if the President follows his process, he needs to make a decision in favor of the project. Because as I am pretty sure we are going to hear from some of the opponents of the project, they will say: Oh, well, based on environmental issues, that is why he should turn it down.

I understand and respect their views on some of the climate change issues, and they are certainly entitled to those opinions, but based on five studies—three draft environmental impact statements and two final environmental impact statements done on this project—the Obama administration's State Department in those environmental impact statements found this will result: As a result of this project, "no significant environmental impact."

I understand they are going to spend a lot of time talking about their views on climate change, and that is fine. I understand that. But there is a difference between opinion and that general discussion and the science of this project. That is the finding by the Obama administration.

We will have more discussion on this issue, in addition to the fact that Canada is working to reduce the greenhouse gas emissions from oil production in their country and in the oil sands. Since 1990, on a per-barrel basis, they have reduced greenhouse gas emissions by about 28 percent, and they are continuing to do more. So they are addressing the environmental issue by doing what? Investing in technology that not only produces more energy but does it with better environmental stewardship.

So instead of empowering that investment, here we want to block it? That is not the way to address better environmental stewardship. The way to do it is by encouraging the investment that not only produces more energy but does it with better environmental stewardship.

Again, I want to thank my colleague and fellow member of the energy committee for deferring so I could wrap up, and I look forward to continuing this debate and discussion on this important issue.

With that, I yield the floor.

Ms. CANTWELL. Mr. President, as I said, I know we have other colleagues here, so I will wrap up my opening remarks on the debate, then turn it over to other colleagues who are wanting to speak on this subject and other matters this morning.

I want to respond to a couple of things, because I know our colleagues keep thinking this is something we have to do and we have to expedite. But the reason why this project hasn't been approved to date is because we

haven't followed the process, and people keep bringing up objections to that process.

Along those lines, I want to turn back to congressional involvement in this matter during the back-and-forth with Nebraska on the pipeline route change in the Sandhills region.

During the time from 2008 until 2012, the U.S. State Department was reviewing TransCanada's initial pipeline application. This process requires a national interest determination by the President. It is worth reminding my colleagues this was a process laid out by President Bush. But in the review of that process, in their initial application, the State Department, in 2011, announced that an alternative route through Nebraska needed to be found to avoid the uniquely sensitive terrain of the Sandhills area.

The President and the State Department said we need to go a different route. So what happens next? One would think that most people would stop and listen and say: Oh, my gosh, there is a concern about this aquifer. But that is not what happened. That is not what happened. People came to Congress and said: We should get the old route approved in the aquifer that provides 30 percent of the groundwater for irrigation through the United States—where a spill would have been disastrous.

At the same time the State Department was telling the company, we have real concerns; you need to re-route the pipeline. The company was coming here to Congress trying to push the old route through at the same time the State Department was negotiating. So I would say to my colleagues, if you think you are helping this process, you are hurting it. You are trying to take away the negotiating power of the State Department to make sure that environmental and public interest issues are addressed here.

Now I know my colleague, whom I look forward to working with on the energy committee, thinks his legislation has protected something in the area of property rights, but let me be clear: This legislation ensures that the status quo in Nebraska under the Supreme Court decision last week will stand. It simply affirms that the use of eminent domain on behalf of TransCanada will be the law. So we are not doing anything in this legislation to protect them. Jamming Keystone XL onto the temporary payroll tax cut bill was a mistake, and the bill today is also a mistake. This bill says, "Don't try to answer all of these questions that we think the State Department should decide in our national interest." The President should have the ability to say yes or no on this.

I would like the President to answer these questions as they relate to the tar sands oil in water, only because I had a chance to ask the Commandant of the Coast Guard a year ago about this issue. We are very concerned about the transport of tar sands out of the

Pacific Northwest. The commandant at that time said we have no solution—no solution. So when my colleague from Michigan talked about the \$1.2 billion that was spent on tar sands cleanup because it sank in the Kalamazoo River, I think these are issues that the State Department has every right to raise with the company to get answers on.

Just recently TransCanada has been redoing some of its pipeline in other areas because it has also found that the welds in the pipeline were not properly done. So in the State Department's Environmental Impact Statement, it required TransCanada to get a third-party validator to validate whether it was actually meeting the standards we want to see on the pipeline; but, no, our colleagues would like to interrupt that and say: We know best, just like we were ready to make it right with the Sandhills aquifer. We know best.

So I ask my colleagues not to rush a process that has been failed from the beginning, that did not allow for the public interest to be adequately afforded its right.

I don't understand what the hurry is. I do want to hurry on energy policy, but it has much more to do with getting the tax credits and clean energy incentives in place that will unleash thousands of more jobs and give predictability. That is the prerogative and the responsibility of Congress, to look at these tax incentives to establish economic incentives. It is not our job to site pipelines when the local process has not played out. At least don't stop the President from making sure these environmental issues are addressed.

My colleague from Massachusetts has been waiting, and I know he was a leader in the House of Representatives prior to his time in the Senate making sure that tar sands should pay into the oilspill liability trust fund, and I certainly appreciate his leadership on that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. I rise for recognition to speak on this issue.

The PRESIDING OFFICER. The Senator is recognized.

Mr. MARKEY. I thank the Presiding Officer very much and I thank the Senator from Washington for her great leadership on this issue.

We are having the beginning of a historic debate here on the floor of the U.S. Senate. We are debating whether the dirtiest oil in the world, the tar sands from Canada, is going to be brought through the United States in a pipeline, like a straw, and brought right down to Port Arthur, TX, to a tax-free export zone so that it can be exported out of the United States.

What is in it for our country?

Well, when you think about it, we are going to take the environmental risk, but the benefits flow to the Canadian companies. The benefits flow to the oil companies. This whole argument that it deals with American energy inde-

pendence is false, and the way in which we are going to ensure that we are protected is that we are going to bring an amendment out here on to the Senate floor to debate whether this oil should stay in the United States. We export young men and women overseas to protect these ships coming back from the Middle East with oil. Why should we export the oil that is already in the United States when it can reduce our dependence? That is our challenge, and we must deal with that.

As well, the Canadians under existing law are exempt from paying a tax into an oilspill liability fund. That can no longer continue as well. That is upwards of \$2 billion over 10 years to deal with oilspills in the United States created by Canadian oil, and they are exempt. That is wrong. That is just plain wrong. So this is a very important debate, but it goes right to the heart—let's admit it—of energy independence in the United States. That oil should not come to our country, go right through it and out. We have a responsibility to the young men and women we send around the world to not provide any false advertising about this oil and where it is going to go.

NET NEUTRALITY

Secondly, I want to talk a little bit about net neutrality. We are coming up to the first anniversary of the D.C. Circuit Court of Appeals striking down the rules the Federal Communications Commission had put on the books to protect the Internet, to ensure that it is open, that it is entrepreneurial. Network neutrality is just a fancy word for nondiscrimination, just a fancy word for saying that it is open, that entrepreneurs, that smaller voices have access, so they cannot be blocked by communications behemoths. This is an issue that goes right to the heart of job creation in the United States of America.

Consider this. In 2013, 60 percent of all of the venture capital funds invested in the United States of America went toward Internet-specific and software companies. That is all you have to know. That is 60 percent of all venture capital money. That is why 4 million people have registered with the Federal Communications Commission their views that net neutrality is central to this entrepreneurial activity in our country. The FCC is going to promulgate or announce the beginning of the promulgation of new regulations in February. We are on the first anniversary right now of the rules having been struck down. There are none.

From my perspective, this goes right to the heart of the new generation of companies. Yes, we have Google and eBay and Amazon and YouTube and all rest of these first-generation companies, but there are new companies like Dwolla and Etsy that are at the heart of the new job creation, and we have to make sure they and others like them are not denied access.

So, in both of these issues, net neutrality and on the pipeline issue coming down from Canada, it is all about

job creation. It is all about making sure that if America is going to take the risk, America should get the benefit. And it is not going to on the pipeline issue. It is not. This is the dirtiest oil in the world. This is going to contribute to dangerous global warming.

Yet the oil companies are going to be able to sell it out on the open market. And why? Because the price of a barrel of oil on the open market is \$17 higher than it is in Canada. You don't have to go to a business school to figure out this model. Get it out and onto the open seas, sell it to China, sell it to Latin America, sell it to other countries around the world. That is what this is all about. That is what is at the heart of this entire Keystone Pipeline agenda.

It is wrong for us to be short-circuiting a process that will guarantee that the environment of our country, the environment of our planet is, in fact, protected by the President and by the process that has been put in place.

I am so glad we are finally having this debate to make sure we put all of the facts out on the table.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to be recognized for up to 4 minutes, followed by Senator SHAHEEN.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ISAKSON and Mrs. SHAHEEN pertaining to the introduction of S. 150 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, before I speak, I have two unanimous consent requests: No. 1, that Senator WHITEHOUSE be allowed to follow me and, No. 2, that my remarks not break up the debate on the pipeline bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. GRASSLEY are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, with all of the issues our country faces, here we are debating a Canadian pipeline. What are we doing? A new majority has taken over the Senate and their first bill—their opening gambit—is the Keystone Pipeline. What is going on?

Is it about jobs? There has been an awful lot of talk about jobs over the last couple of days, but this opening gambit—both obviously and demonstrably—has nothing to do about jobs. If this were about jobs, instead bring up the Shaheen-Portman energy efficiency bill, the bipartisan bill the Republicans spiked last year. That bill has been estimated to produce nearly 200,000 jobs, more than quadruple the 42,000 jobs supported by the construction of the pipeline.

If this were about jobs, bring up the highway bill, which came out of EPW unanimously last year. That bill was estimated to support 3 million jobs a year, 70 times the number of jobs the Keystone Pipeline will produce. Forty-two thousand is a pittance compared to that.

Right now the economy is adding over 70,000 jobs every week. In the 3 weeks we spend arguing about this bill, we will add five times as many jobs as the Keystone Pipeline would provide. We matched Keystone in just 4 average days of job growth. Yet we are going to spend 3 weeks on this issue?

If this were truly about jobs, bring up an infrastructure bill—the kind our Republican friends have relentlessly stymied when they were in the minority. Set up an infrastructure fund. God knows wherever we look American infrastructure is crumbling. Schools, airports, trains, water, health information infrastructure, smart grids, and broadband are all yearning for activity.

We could do very big things on jobs. We get 13,000 jobs on average for every \$1 billion spent on infrastructure, and we need the infrastructure, but instead we are doing this. It is definitely not about jobs.

Is it about the merits of the pipeline? Hardly. With oil prices at \$50 per barrel, it is not even clear that the pipeline is viable. The State Department calculated that crude oil prices below \$75 per barrel would limit the development of tar sands crude.

According to a recent report from the Canadian Energy Research Institute, due to a steep increase in production costs, new tar sands projects require crude prices of at least \$85 per barrel to break even. We are around \$50 per barrel. The U.S. Energy Information Agency predicts that crude oil prices will average below \$65 well into 2015.

Shell, Total, and Statoil have all canceled or postponed major tar sands expansion projects. Southern Pacific Resources has nearly gone broke transporting heavy crude to the gulf by rail. The Canexus terminal in Alberta has run far below capacity, plagued by logistical problems, lost contracts with developers, and has been put up for sale. At \$50 per barrel this pipeline could already be a zombie pipeline—dead man walking.

Moreover, Keystone XL would be an environmental disaster. Notwithstanding the talking points to the contrary, the facts prove otherwise. As a source of carbon pollution alone, it will produce the equivalent of as many as 6 million added cars on our roads for 50 years. That is enough added carbon pollution to erase 70 percent of the carbon reductions from the recent motor vehicle emission standards that the automobile companies agreed to.

The cost of that carbon pollution adds up. Using official U.S. estimates of the social cost of carbon, the economic damage of the emissions from the Keystone Pipeline will amount to \$128 billion in harm over the lifetime of

the project. These are enormous costs that we will pay, borne out as parched farmland, harms to our health, and flooded businesses and homes. It is not about jobs and it is not about the merits of this pipeline. Unfortunately, it is not even a venue for a serious discussion about climate change—for a conversation about what carbon pollution is doing to our atmosphere and oceans.

In all of last week's conversation about the Keystone Pipeline tar sands bill, the number of times Republicans mentioned climate change was exactly one time, and that was only when Chairman MURKOWSKI summarized testimony submitted to her energy committee by an opponent of the pipeline. She used the term while describing the witness's testimony. There was one reference to a Democratic witness's committee testimony, and that is it. There were "zero" serious conversations.

We are long past time for a serious bipartisan conversation about carbon pollution and climate change. What a great thing it would be if part of the new majority's new responsibility was just to take an honest look at those issues. But for sure this isn't that. Republicans remain politically incapable of addressing climate change. Forget addressing climate change, Republicans remain politically incapable of even discussing it.

It is not jobs, it is not the merits of the pipeline, it is not an opening on carbon pollution and climate change, and the President has already told us he is going to veto this bill.

What the heck are we doing? I will tell you what I think we are doing—and I think the facts support this conclusion—but first what you have to understand to understand what is going on is that the Republican Party has become the political wing of the fossil fuels industry. There has always been a trend of this within the Republican Party, but since the Republican appointees on the Supreme Court gave the fossil fuel industry the great, fat, juicy gift of its Citizens United decision, fossil fuel industry control over the Republican Party in Congress has become near absolute.

According to the Center for American Progress, the fossil fuel industry spent nearly three-quarters of \$1 billion over the last 2 years on lobbying and direct and third-party campaign contributions. That is just what is reported. That doesn't even count the anonymous dark money that is preferred by many special interest donors. It certainly doesn't include the pungent fact that even if a special interest never spends the money, just quiet, private, backroom threats of attack ads can influence political behavior.

We can argue this point more on another day. I have talked about it frequently, and I think I have made the case pretty convincingly in other "Time to Wake Up" speeches that the evidence points to this as the present state of affairs within the Republican Party. So for purposes of this discussion, take it as my premise, anyway,

that the Republican Party in Congress is now effectively the political wing of the fossil fuel industry.

That premise clarifies what is happening here. The fossil fuel industry has a shiny new Republican Senate majority, and it wants to take it out for a spin. It wants to take its new Republican-controlled Congress out for a spin. That is what this Keystone opening gambit is all about. This is somewhere between performance art, a show of obedience, and a show of force.

Well, fine. Take us out for a spin. Have your fun. But the laws of nature that turn carbon pollution into climate change and into ocean acidification aren't going away. God laid down those laws, and they are not subject to repeal by man. Ignore them all you want. Worship at the altar of the fossil fuel Baal all you want, but there will be a price to pay for this negligence and inaction. It is truly time for this body to wake up.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRUZ). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MENENDEZ. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CUBA POLICY

Mr. MENENDEZ. Mr. President, I rise to say that nothing has changed in Cuba since Cuban arms were captured on this North Korean ship going through the Panama Canal a year and a half ago, just after the Obama administration started its secret negotiations with the Cuban Government—not the regime, not its mindset, nor its oppression of its people.

This is the essence of the regime. They put this missile system and MiGs in a container ship going through the Panama Canal, hid them under tons of sugar in violation of U.S. Security Council resolutions. It was the most significant violation of security council resolutions as its relates to North Korea in quite some time, and certainly the biggest violator in all of the Western Hemisphere.

We could not trust the Castro regime then, and we cannot trust it now. What we can trust are the voices of those who promote human rights and democracy who have been arrested and rearrested time and time again, year after year, for demanding nothing more than their ability to speak their minds freely, openly, and without fear.

Voices such as Berta Soler, the leader of the Ladies in White—the Ladies in White are a group of women who each Sunday travel to mass dressed in white, normally holding a gladiola—peacefully. These are women whose husbands or sons languish in Castro's jail simply because of their political views. And as they march to church, they are savagely beaten by state security.

Berta Soler, the leader of the Ladies in White, said:

Sadly, President Obama made the wrong decision. The freedom and democracy of the Cuban people will not be achieved through these benefits that he's giving—not to the Cuban people—but to the Cuban government.

The Cuban government will only take advantage to strengthen its repressive machinery, to repress civil society, its people and remain in power.

Or the voice of Yoani Sanchez, a prominent Cuban blogger and independent journalist, who said, "Alan Gross was not arrested for what he did but for what could be gained for his arrest. He was simply bait and they were aware of it from the beginning. Castroism has won, though the positive result is that Alan Gross has left alive the prison that threatened to become his tomb."

Or the voice of Rosa Maria Paya, the daughter of Oswaldo Paya, the island's most prominent and respected human rights advocate, who was killed in what the regime calls an automobile accident, what many of us call an assassination. His whole effort was under the existing Cuban Constitution to petition his government under that constitution for changes in the government, of which he amassed thousands of signatures of average Cubans across the island, and the regime saw that as such a threat that he was run off the road and, sadly, killed.

His daughter Rosa Maria Paya said:

The Cuban people are being ignored in this secret conversation, in this secret agreement that we learned today. The reality of my country is there is just one party with all the control and with the state security controlling the whole society.

If this doesn't change, there's no real change in Cuba. Not even with access to Internet. Not even when Cuban people can travel more than two years ago. Not even that is a sign of the end of the totalitarianism in my country.

Or another voice, the voice of Sakharov prize winner Guillermo Farinas, who spoke for many Cuban dissidents when he said this:

Alan Gross was used as a tool by the Castro regime to coerce the United States. Obama was not considerate of Cuban citizens and of the civil society that is facing this tyrannical regime.

In Miami, Obama promised he would consult Cuba measures with civil society and the non-violent opposition. Obviously, this didn't happen. That is a fact, a reality. He didn't consider Cuba's democrats. The betrayal of Cuba's democrats has been consummated.

As you can see, Farinas is in the midst of being arrested by state security simply for a peaceful protest.

Or the powerful voice of the husband of Berta Soler, Angel Moya, a former political prisoner of the Black Spring in 2003 when Fidel Castro imprisoned 75, including 29 journalists along with librarians and democracy activists. He said this:

The Obama Administration has ceded before Castro's dictatorship. Nothing has changed. The jails remain filled, the government represents only one family, repression continues, civil society is not recognized and we have no right to assemble or protest.

The measures that the government of the United States has implemented today, to ease the embargo and establish diplomatic relations with Cuba, will in no way benefit the Cuban people. The steps taken will strengthen the Castro regime's repression against human rights activists and increase its resources, so the security forces can keep harassing and repressing civil society.

These are the voices of those who languished inside the belly of the beast. These are the voices not of this romantic image that some have of Castro's Cuba but of the reality, the harsh reality—people who, simply to be able to promote the basic freedoms that we enjoy here in the United States and most people in the Western world, are constantly thrown into jail for long periods of time, beaten and oppressed.

Those are the voices of freedom inside of Cuba. These are the men and women who have been arrested and suffered under the oppressive hand of the Cuban regime for the belief in the right of all Cubans to be free. These are the people who know that nothing—nothing—has changed. The regime, after reaping the benefits of what in my view is a bad deal, is still arresting peaceful protesters, including more than 50 at the end of December.

As a matter of fact, on New Year's Eve when most of us were celebrating the advent of the new year, there was an effort inside of Cuba. Tania Bruguera and a series of other human rights activists and political democracy activists were going to hold in Revolution Square a 1-minute opportunity for any Cuban who wanted to come forth and talk about what they aspired to for their freedom, what they aspired to for the Cuba of tomorrow to be. It was going to be a peaceful demonstration and an exposition of the hopes and dreams and aspirations of Cuba's political dissidents and human rights activists inside their country. In that peaceful effort, dozens of human rights activists and political dissidents, including the organizers, were arrested before they ever got to the event. The event was totally suppressed.

Weeks after the administration's deal with the Castro regime—even then—the simple act of speaking for 1 minute about what your views would be of the future were repressed. So let me say that while I welcome the news that Cuba has released 53 political prisoners and that the administration has finally shared the list of names it negotiated with the Castro regime, this entire process has been shrouded in secrecy.

Reuters reports that the administration officials said the list was created in June or July. But some of the 53 were released well before June, before the list was supposedly put together. As a matter of fact, 14, to be exact, were released 6 to 8 months before the December 17 announcement. One was released over a year ago.

So, clearly, the list that supposedly was put together by the administration with the regime could not have envisioned or could not take credit for

those who were released well before the list was put together. Many had simply finished their unjust prison terms. Clearly, keeping the list secret provided the regime the flexibility to define "mission accomplished." The fact is, the release of 53 political prisoners does not mean there are no longer political prisoners inside of Cuba. Human rights groups had stated, prior to the President's speech in December, that there were over 100 long-term political prisoners in the country, and there were 8,900—to be exact, 8,889—political detentions in Cuba last year—an appalling number—8,889.

In short, while 53 political prisoners have been let out of jail, the same corrupt jailer is still ruling the country. The Castros have a long history. I have followed this not only for all of my career of 23 years in the Congress, but even before that. They have a long history of rearresting these political and human rights activists whom they previously released.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There is 1 minute remaining under Democratic control.

Mr. MENENDEZ. I ask unanimous consent to be able to continue for about 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, the fact is that as someone who has spoken out time and again on the brutal repression of the Cuban people under the Castro regime, someone whose family has suffered the consequences, I believe the agreement this administration has reached with the Castro regime is one-sided and misguided. It fails to understand the nature of the regime that has exerted its authoritarian control over the Cuban people for over 55 years. Now, no one wishes that the reality in Cuba were more different than the Cuban people and Cuban Americans that have fled the island in search of freedom.

In December, the same month that the President announced changes to U.S. policies, the Cuban Commission for Human Rights and National Reconciliation, a group that works within Cuba, documented 489 political arrests, bringing the total number of political arrests during the first 11 months of 2014 to nearly 8,900.

This is the regime that imprisoned an American citizen for 5 years for distributing communications equipment on the island. Releasing political prisoners today in Cuba is meaningless if tomorrow these individuals can be arrested again and denied the right to peacefully pursue change in their own country. It is a fallacy that Cuba will change just because an American President believes that if he extends his hand in peace, the Castro brothers will suddenly unclench their fists.

As you see from the quotes I have read, a majority of democracy activists on the island, many whom I have met

with in the past, have been explicit that they want the United States to become open to Cuba only when there is a reciprocal movement by the Castro brothers. They understand that the Castros will not accede to change in any other way. In my view and in theirs, the United States has thrown the Cuban regime an economic lifeline. With the collapse of the Venezuelan economy, Cuba is losing its main benefactor, but it will now receive the support of the United States, the greatest democracy in the world.

This is a reward that a totalitarian regime does not deserve. It is a reward that at the end of the day perpetuates the Castro regime's decades of repression. The regulatory changes the regime has won, which are clearly intended to circumvent the intent and spirit of U.S. law and the U.S. Congress, present a false narrative about Cuba that suggests that the United States and not the regime is responsible for its economic failure. So let's be clear. Cuba's economic struggles are 100 percent attributable to a half century of failed political and economic experiments that have suffocated Cuban entrepreneurs. In Cuba private business is controlled by the Cuban government—most significantly the military—with the benefits flowing directly to the regime's political and military leaders.

Cuba has the same political and economic relations with most of the world. But companies choose not to engage because of political, economic, and even criminal risks associated with investment on the island, as exhibited by the arbitrary arrests of several foreign investors from Canada, England, and Panama in just recent years.

To also suggest that Cuba should be taken off the list of state sponsors of terrorism is alarming while Cuba harbors American fugitives such as Joanne Chesimard, a cop killer who is on the FBI's list of most wanted terrorists for murdering New Jersey State Trooper Werner Foerster. She is not the only one who is a cop killer inside of Cuba from the United States. There is also Cuba's colluding with North Korea, as I showed before, to smuggle jets, missile batteries, and arms through the Panama Canal in violation of the U.N. Security Council resolution, and for giving refuge to members of FARC from Colombia and members of ETA from Spain, groups that the State Department has recognized as foreign terrorist organizations.

Now, finally with respect to the President's decision to attend the Summit of the Americas, I am extraordinarily disappointed that we intend to violate our own principles laid down in the Inter-American Democratic Charter in 2001, on the Summit being a forum for the hemisphere's democratically elected leaders. This action disavows the charter, and it sends the global message about the low priority that we place on democracy and respect for human and civil rights.

So in this new Congress I urge my distinguished colleague, the now chairman of the Senate Foreign Relations Committee, Senator CORKER, to hold hearings on this dramatic and mistaken change in policy. I will keep coming to this floor to address at length all of the issues I have raised. I will come to this floor again and again to expose one of the most oppressive, repressive, and undemocratic regimes in the world.

To those of my colleagues who herald this agreement and for those in the press who still live with the mistaken romanticism of the Castros' revolution and who speak out about human rights abuses and democratic movements all over the world, it is so hypocritical to be so silent—a deafening silence when it comes to the democratic and human rights movement inside of Cuba.

I have listened to many eloquent speeches of my colleagues about human rights violations and democracy movements in many parts of the world. But on Cuba their silence is deafening.

This does not end here. It does not end today with one speech. It surely will not end until the people of Cuba are truly free.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I wish today to address S. 1, which would approve construction of the Keystone Pipeline to transport tar sands heavy oil from Canada to the gulf coast. The key consideration is whether this bill, by authorizing the pipeline, would contribute significantly to global warming, which is already damaging our rural resources and our future economic prospects with profound consequences for families in America and around the world.

Also, are there better ways to create jobs that would enhance rather than damage our economy? In the words of President Theodore Roosevelt, "Of all the questions which can come before this nation, short of the actual preservation of its existence in a great war, there is none which compares in importance with the great central task of leaving this land even a better land for our descendants than it is for us."

Let's start by examining the impact of the Keystone Pipeline on atmospheric carbon dioxide pollution and global warming. This chart displays the variations in carbon dioxide that have occurred over time, back through the last 800,000 years. We have seen that carbon dioxide levels have gone up and down within a modest range until modern times and the Industrial revolution.

At that point, where they continued to oscillate as they have in the past, we see a steady, upward progress into a realm not seen within these last 800,000

years. This is the impact simply of human kind pulling up a lot of fossil fuel out of the ground and burning it—whether it comes in the form of coal or it comes in the form of oil or it comes in the form of gas.

Now, let's take a look and see how the temperature of the planet has corresponded with the levels of carbon dioxide. What we find, going back in time, is a very strong correlation with the carbon dioxide in red and temperature change in blue—a very close correlation between carbon dioxide around our planet and the temperature of the planet.

Well, this makes enormous sense since any high school student can establish in the laboratory that carbon dioxide has thermal properties in trapping heat. As less heat radiates from the Earth, the Earth warms. Well, this certainly bears upon our stewardship of this planet. By many estimates, to contain global warming to 2 degrees Celsius—that is just shy of 3.9 degrees Fahrenheit—human civilization must transition aggressively and rapidly away from conventional fossil fuels and toward the use of nonfossil, renewable energy.

Now, this shift is within our power. It is a challenge presented by this circumstance and by our stewardship of human civilization on this planet. But are we up to the task? Do we have the political will to undertake responsible stewardship of our beautiful blue-green Earth? That is the test that stands before this body—this Senate—at this very moment.

Building the Keystone Pipeline, which opens the faucet to rapid exploitation of massive new unconventional fossil reserves—the tar sands—takes us in the exact opposite direction from where we need to go. It locks us into the dirtiest fossil fuels on the planet for a generation. It accelerates human civilization down the road to catastrophic climate change.

That is why building the Keystone Pipeline is a mistake. There is a lot at stake. Global warming is not some imaginary concept based on computer models or something that might happen 50 to 100 years from now. Indeed, global warming is not only present right now, but it is already making vast changes in State after State, and nation after nation.

The warmest 10 years on record for global average surface temperature have occurred in the last 12 years. Let me repeat that. The warmest 10 years on record for global average surface temperature have occurred in the last 12 years. That is pretty powerful evidence that something dramatic is occurring. The effects can be seen in every State. The average forest fire season in the United States is getting longer. Since the 1980s the season has grown by 60 to 80 days. That is 2 to 3 months of additional fire season. The average amount of acres consumed annually by wildfires has doubled to more than 7 million acres.

One study estimates that global warming, through the combined impact of greater pine beetle infestation and the greater number of forest fires and more severe forest fires will decimate the western forests of the United States by the end of this century. That is not the only impact that we are seeing. In addition, the snowpack in our mountains—in our Cascade Mountains—is decreasing, which means smaller and warmer trout streams. That is not good for fishing.

It means less water for irrigation—not good for farming. The Klamath Basin, a major agricultural basin in Oregon, has suffered through many years and three horrific droughts just since 2001, in substantial part, because of the lower snowpack.

This chart, which shows Washington State, Oregon, Idaho, and Montana, shows the areas of intensity of the decrease in snowpack. The decreases are circled in red and the increases in the snowpack are circled in blue. As you can see, the decreasing snowpacks vastly, vastly outweigh the occasional spots where there have been reported increases.

This translates to the types of droughts we have been seeing in the Klamath Basin, in this area of southern Oregon, and the droughts we have seen in northern California, a very significant impact on agriculture.

So when some are critical on this floor—some climate deniers who choose to ignore all of the facts on the ground and say there is no impact and no harm—well, they simply are putting forth a myth designed to serve the oil, fossil fuel, and coal industries in order to advance those powerful special interests.

Well, I have a special interest. That special interest is the people of Oregon, who are being impacted by the longer forest fires, who are being impacted by the droughts. I have a special interest. It is called planet Earth. That trumps the Koch brothers, that trumps the coal industry, that trumps the oil industry.

There are other impacts that we are seeing. One is the impact on our oceans. As the high levels of carbon dioxide in the air interact through wave action with the ocean, the ocean absorbs some of that carbon dioxide. As it absorbs that carbon dioxide, it becomes carbonic acid. Here we see some charts from Hawaii. In the purple here we have the change in atmospheric carbon dioxide over a 50-year period.

Then we have measurements of carbon dioxide in blue in the water. Then we have the measurements, over that same period, of the pH or acidic content of the oceans. What we are seeing is that as the pH level drops, that means that the oceans are more acidic. Now, what happens when the ocean is more acidic? It affects the coral reefs, for one. Coral reefs are very sensitive to this. We have seen, from scientists who are studying coral reefs, significant damage both from water temperatures and from increasing acidity.

One scientist from Oregon State University who studies coral reefs around the world came here to DC and presented a series of slides showing the reefs he studied. He said: These are my babies and my babies are dying. Those coral reefs are the basic food chain for a significant amount of sea life that is harvested for human consumption. To put it differently, fishing families around the world often depend on the coral reefs to sustain the foundation of their livelihood.

Off the Pacific coast, we are seeing a big impact on our oysters. The Whiskey Creek shellfish hatchery started having trouble in 2008 with the growth of its baby oysters that are known as oyster seeds. I visited that hatchery 3 months ago to hear their story about what they had faced.

At first they thought: Well, maybe this problem is from a bacteria. Maybe this problem is from a virus. Maybe this is from something else. They brought in Oregon State University to research and they figured out that it was, in fact, the acidity of the water, the very acidity that I just showed you the chart about.

The acidity does not happen in just one place. It is happening broadly across the world. The oyster seed—if they are having trouble fixing their shells because of the high acidity in the water, well then what else is going on? The oysters—here are some headlines related to the oysters.

Up in Washington State, the Seattle Times reported: "Oysters dying as coast is hit hard." In fact, I was flipping through channels a month or 2 ago, and there was the Governor of Washington over at a hatchery on the coast of Washington, just like I visited Whiskey Creek Hatchery in Oregon. It is the same story. Oysters are dying. Why? Because of the acidity of the water.

This is a headline from the Los Angeles Times: "Oceans' rising acidity a threat to shellfish—and humans."

From Oregon: "Researchers scramble to deal with dying Northwest oysters."

So for my colleagues who want to wreak this kind of harm to our farms, to our fisheries, and to our forests, how about you figure out from the folks of your State how to pay for the damage being done in my State to our forests, our fishing, and our farming. How about you figure out how to pay for the damage being done throughout the United States and throughout the planet. You want to unleash the dirtiest oil in the world from the tar sands and increase this damage? Tell me how you are going to compensate those who are injured across this Nation and across the world.

I hear a lot of comments about responsibility. I hear a lot of comments from my colleagues across the aisle about accountability. Put your actions where your statements are and show us some accountability for the damage you are wreaking by approving this pipeline, by voting for this pipeline.

Does this bill before us, which would open the faucet on a massive new reserve of fossil fuels, advance the stewardship of the planet? Does it advance our rural economy? Clearly the answer is no. Stewardship, accountability, and responsibility would insist that we not open this faucet to further damage of the kind we are seeing right now, that we not unlock the tar sands.

But proponents of the pipeline say: Wait, we have some arguments on our side. Let's examine those arguments.

First they say: You know, this will create 4,000 construction jobs.

Well, let's take a look at this chart. This is a chart that shows the Keystone—roughly 4,000 construction jobs. That represents this little tiny line at the bottom, if you can even see it.

Now let's talk about the Rebuild America Act, which colleagues across the aisle filibustered in order to kill it even though it was revenue neutral. That is how many jobs the Rebuild America Act would create.

If you want to talk jobs, let's talk about a jobs bill. Let's substitute the Rebuild America Act for the Keystone act. Let's have a real jobs bill, a real stimulus bill, a bill that would put people to work in construction across this Nation in a way more intense fashion than would the Keystone bill.

Proponents have a second argument. They say that bringing this additional oil from Canada down to the Gulf of Mexico will increase our national security because all that oil will be refined and utilized in the United States.

Well, my colleagues are a little confused about this. They haven't thought about why it is Canada wants to ship it to a gulf port—so that it can have access to world markets, so that it can get the world market price. Our refineries in the gulf coast are largely fully occupied now. An additional supply of crude means additional crude you can export to other countries that have refineries that are short of supply. Well, that is profitable to Canada, but that doesn't mean the oil will get used in the United States.

They say: But wait a minute, some of it might get refined and utilized in the U.S. system.

Well, let's acknowledge that some of it might get refined, albeit it is clear why the oil is being shipped to the gulf coast because it is being shipped there to get into the world market and be available for export to the world. Let's say some of it might happen to be utilized in the United States. That little bit of impact is nothing compared to what we can do by investment in renewable energy that would decrease our reliance on fossil fuels. So a far better solution would be investing in renewable, non-fossil fuel energy that doesn't have the impact on the fishing, the farming, and the forests.

But, say proponents, if the Keystone Pipeline is not built, an alternative pipeline will be built through Canada.

Well, that is certainly highly questionable. If it were easier and cheaper

to go through Canada, TransCanada would not be seeking to build the Keystone Pipeline.

Oh, they say, they will figure out a way to run a pipeline west to the Pacific.

But you know that has to pass through First Nation lands, and it has to have all kinds of approvals. And there are folks in Canada who actually feel as deeply and passionately about being good stewards of our planet and not contributing to the assault on our forests, our farming, and fishing as many of us here feel, and there is going to be intense opposition. That is why TransCanada wants to push this through the United States in order to reach the world market and the gulf coast. It is cheaper and easier, and they have no confidence they can build a pipeline to substitute.

Opponents say: If it is not shipped by pipeline, it will be shipped by railroad—which, of course, is again way off the fact track because the railroads are already congested, making additional capacity modest at best. In addition, the price point for shipping by rail is much higher than the price point for shipping by pipeline. If you change the price of the pipeline, you change the supply and demand curve, and you don't end up producing the same amount of oil.

So these arguments made are thin efforts to camouflage a fundamental fact that this is a great deal for TransCanada, it is a great deal for the oil industry, and it is a terrible deal for Americans depending on rural resources, a terrible deal for our oceans and our fisheries, a terrible deal for our forests, and a terrible deal for our farming.

So if you care about the future economy of the United States, if you care about rural America, if you care about all of us who depend on rural America for these wonderful and important resources, then you will oppose this pipeline.

There is no question, this is a sweetheart deal. Talk about accountability? TransCanada won't even have to pay into the oilspill liability fund. They are being exempted from that fund. They do not have to pay into the insurance fund that will help clean up when their pipeline leaks. And they all leak. That is outrageous. You want accountability? Put forward the amendment that says they would have to pay into the oilspill liability fund, the same as any other person or group pumping oil through a pipeline in the United States. Say that they would be fully responsible for every bit of damage that local governments and State governments and the U.S. Government have to pay for to compensate for the damage created by those oilspills. Let's hear some responsibility and accountability from the proponents of this pipeline, not this sweetheart deal for a Canadian company.

Tackling carbon pollution—global warming—is going to take an enor-

mous amount of international cooperation. Just recently, the United States and China entered into an agreement to address global climate change. President Obama announced the goal of cutting American net greenhouse gas emissions 26 to 28 percent below 2005 levels by 2025. The Chinese President announced that China would invest heavily in renewable energy to generate 20 percent of China's energy from nonfossil sources by 2030 and would seek to decrease China's CO₂ emissions thereafter.

These goals will require significant efforts by the United States and massive investments by China. Do they go far enough? No, not in the context of the challenge faced because of our elevated carbon dioxide levels around the world, but this agreement by the two biggest carbon polluters among nations is a significant step forward. It is the type of leadership the world has been asking for.

We cannot simply wish for nations to work together, we have to do our part. That is why we should be talking today not about how to turn on the tap for the dirtiest oil on the planet but how to work with other nations to invest in energy conservation, to invest in non-fossil fuel renewable energy.

Let's turn back to the test President Theodore Roosevelt put before us. He said that there is no more important mission than "leaving this land even a better land for our descendants than it is for us." That is the challenge. Let's rise to that challenge.

Mr. President, let's rise to that challenge. Help lead your colleagues—all of us—in stopping this assault on our farms, our fishing, and our forestry. Stop this sweetheart deal for a Canadian company, and let's substitute a real jobs bill, a rebuild America jobs bill that will create more than a hundredfold more construction jobs than the jobs we have before us.

When we think about the complete lack of accountability and responsibility embedded in this bill, when we think about the enormous damage that comes from turning on the faucet to the dirtiest oil in the world, there really is only one way to vote on this bill, and that is to vote no.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:56 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

KEYSTONE XL PIPELINE ACT— MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Tennessee.

HELP COMMITTEE AGENDA

Mr. ALEXANDER. Mr. President, I am here today to talk about the work

of the Senate Committee on Health, Education, Labor, and Pensions. It is an important committee. Senator Ted Kennedy, who served for many years as the chairman of the HELP Committee, as we call it, once said that the HELP Committee had 30 percent of the legislative jurisdiction of the Senate. If you think about it, health, education, labor, and pensions—the work we do touches the lives of virtually every American.

During the last 2 years, I had the privilege of being the ranking Republican on the committee. The Senator from Iowa, Tom Harkin, was the chairman. I think most people would agree we have as ideologically diverse a committee as any committee in the Senate, but we worked very well together. Where we disagreed, which was often, we simply stated our piece and we voted. But we looked for opportunities to agree, and last Congress, we passed 25 bills through the committee that became law. I am not sure any other committee can say that.

I look forward to a similar productive working relationship with the Senator from Washington, Mrs. MURRAY. She is an experienced legislator, cares deeply about education, health, labor, and pensions, and has proven she knows how to successfully negotiate. We are operating today under a budget agreement that she helped negotiate with Congressman PAUL RYAN in the House. I am hopeful Senator MURRAY and I can work together in the same successful manner that I did with Senator Harkin last Congress.

I have now visited with almost all of the members of the committee, Democrat and Republican, and I feel confident we can successfully work together.

Here are my goals for the next 2 years. I have the privilege of being the chairman of the committee. The job of the chairman is to set the committee's agenda and work with all members of the committee on that agenda. This Congress, all members, before and during hearings, will have a full chance to discuss and amend legislation related to the agenda. When we report a bill to the floor, there will be an opportunity for a robust amendment process, as Senator MCCONNELL has said. Then, I hope we will go to conference with the House of Representatives on our bill, where there will be further discussion. The challenge in passing legislation is there will have to be 60 votes to move a bill out of the Senate, 60 votes to move to conference on the bill, and 60 votes to pass a bill in the end. To accomplish that takes working with all Senators, including those on the other side of the aisle.

I also know if we want a bill to become law, President Obama must sign it. On the major issues we plan to address, we hope to work with him to gain his signature.

My first priority as chairman will be to fix No Child Left Behind. The law is over 7 years expired, and we have been

working to reauthorize it for 6 years. The law has become unworkable. States are struggling. As a result, we need to act.

The Secretary of Education gave a fine speech yesterday saying we need to act on No Child Left Behind. I agree with him. I intend to finish this work in the first few months of this year.

Second, we need to reauthorize the Higher Education Act and deregulate higher education. We need to simplify and streamline the regulations that are imposed on 6,000 colleges and universities. One of the committee members is ELIZABETH WARREN, the Senator from Massachusetts. When she was at the Consumer Financial Protection Bureau, she said she would like a one-page mortgage application. A multipage mortgage application is not consumer friendly, but a two or three page one provides the consumer with information in a more easily understood manner. I think we could do the same with the application for federal aid, and there is substantial room for bipartisan agreement on this in higher education.

Just last week, I introduced legislation with Senators BENNET of Colorado, BOOKER of New Jersey, KING of Maine, ISAKSON of Georgia and BURR of North Carolina, to make it easier for students to go to college by simplifying the complicated, dreaded FASFA. The FASFA is the 108-question application form that 20 million American families fill out every year. The President talked about it on his visit to Tennessee on Friday. He also thinks it is too long and wants to simplify it. I think higher education is an area on which we can work together in the Senate and with the President.

The third thing I would like to do is to modernize the Food and Drug Administration. Now, there is a great opportunity, working with the House and with the President, to take a good look at the FDA, to take a good look at the modern world of medical devices and personalized medicines, and to say: What do we need to do to make it easier to get treatments, medical devices, and cures through the FDA process quickly and effectively while ensuring those treatments, medical devices, and cures are safe so they can help people? This sort of work literally would affect every single American.

Fixing No Child Left Behind would affect 50 million schoolchildren, millions of teachers, and 100,000 public schools. Reauthorizing the Higher Education Act and making its regulations simpler would affect 6,000 institutions of all kinds and over 20 million students across this country. If we worked together with the House and the President to reform the FDA, we could affect the lives of every American and people all over the world by the kinds of treatments and devices and cures we bring to market.

Those are my top 3 priorities. Of course, we also want to deal with the Affordable Care Act, or ObamaCare. On

this side of the aisle, we would like to repeal it, and I am sure there will be that vote. I also hope, in the words of the Senator from Wisconsin, RON JOHNSON, we move as rapidly and as responsibly as we can to repair the damage that ObamaCare has done. One example to improve ObamaCare would be to redefine full-time work from 30 hours to 40 hours. That would give about 2.5 million low-wage employees in America a pretty big pay raise when they go from 27 hours or 28 hours to 37 or 38 hours, which is what they would be able to do if full-time work were defined, as it is for everything else, as 40 hours.

We will have our first hearing on that on a bipartisan bill in the HELP Committee on next Thursday—a week from Thursday. It is a bill introduced by Senators COLLINS, MURKOWSKI, DONNELLY, and MANCHIN. It is a bipartisan bill.

Our committee has a great interest in this bill. The technical jurisdiction is with the Finance Committee. But by agreement with the Finance Committee, we will have this hearing, and then we will send to the Finance Committee our opinions, and it will be up to the Finance Committee how to report the bill, whether to report it, or what version of it to report. It helps, at least on the Republican side of the aisle, that six of the members of the Finance Committee are also members of the Health, Education, Labor, and Pensions Committee.

Mr. President, let me talk about the first item on the HELP Committee agenda; the plan to fix No Child Left Behind.

I see the Senator from Washington on the floor today. She will be speaking next, and I look forward to hearing her comments. I said before she came to the floor how much I look forward to working with her. She is an experienced legislator, proven leader, and has a demonstrated record of results. I hope we are able to work together to pass No Child Left Behind.

No Child Left Behind was passed in 2001—a year before I became a Senator. It has become unworkable because Congress and the President failed to reauthorize and amend the law when it expired over 7 years ago.

Under the terms of the law, the original provisions continue, but that is what has made it unworkable. Those original provisions, if strictly applied, would label as a failing school almost every one of our 100,000 public schools. This is clearly an unintended result of the those who passed No Child Left Behind.

To avoid that unintended result, the U.S. Secretary of Education has granted waivers from the law's provisions to 42 States, the District of Columbia, and Puerto Rico. This has created a second unintended consequence. In exchange for the waiver, the Secretary has told those States what their academic standards should be, what accountability systems they should use to set

performance standards, how many and what tests shall be used to measure the progress of students, how to evaluate teachers, and how to identify and intervene in low-performing schools. The Department has become, in effect, a national school board.

We have been working over the last 6 years to fix the problems of No Child Left Behind. Over the last 6 years, the Senate HELP Committee held two dozen hearings on No Child Left Behind and K-12 education. Twice the committee reported legislation to the Senate floor. In the Congress before last, we reported the Democratic majority's bill. I did not particularly like it, but Senator KIRK, Senator ENZI, and I all voted for it so we could move it to the floor, continue to work on it, and then replace the law. But it did not come to the floor. In the last session of Congress, the committee reported a bill again.

This Congress, we need to start with a specific proposal. I will put forward a Chairman's staff discussion draft, consult with all the members of the committee on the proposal, and see if we can ultimately get bipartisan agreement on the proposal.

I have already distributed to all the committee members, Republican and Democrat, copies of the Chairman's staff discussion draft. This is not a chairman's bill; it is not a Republican bill; it is the Chairman's staff discussion draft put forward as a place to start discussions.

We would like for staff of the various members of the committee to meet every day for the rest of this week and next week. They can discuss and provide feedback on each section of the bill. This will help determine areas where we agree and disagree.

Former Chairman George Miller gave some good advice on fixing No Child Left Behind. He said: Let's pass a lean bill to fix No Child Left Behind. Discussions have highlighted there are about eight or nine problems with the law. We probably can agree quickly on about four or five of those problems. There are real differences of opinion on the other three or four areas. I hope we can come to agreement on those issues in the committee, and I am going to do my best to lead that process. I am willing to spend all the time we need over the next several weeks to reach agreement.

If we cannot reach agreement in committee, then we should vote on a bill, and bring that bill to the floor. We can amend the bill there, and pass it with 60 votes. Then we can go to conference with the House, and ultimately send a bill to the President for him to sign.

I look forward to the process. A week from tomorrow, we will hold a hearing on testing and accountability. Every member of the committee is interested in this topic. Here are the questions to be examined in the hearing: are there too many tests? Who should decide how many and what tests should be administered? We need to answer some ques-

tions before we make decision to be put into a bill. In the Chairman's staff discussion draft I have circulated, I have included two options for discussion: current law testing requirements and another option that gives more flexibility to the States to decide what to do on testing.

On fixing No Child Left Behind, I plan to set realistic goals, keep the best portions of the law, and restore to States and communities the responsibility to decide whether schools and teachers are succeeding or failing.

The Chairman's staff discussion draft relies on and respects the 30 years of work by Governors and chief State school officers to develop higher standards, better tests, stronger accountability systems, and fair and effective teacher and principal evaluation programs that will allow parents and communities to know how children in our country's public schools are performing.

I have watched the development of goals, standards, tests, and teacher evaluation systems for a long period of time. I was Governor of Tennessee in 1983 when Secretary Terrell Bell in the Reagan administration issued a report called: "A Nation at Risk." The report said that if a foreign country had created schools in the condition of our nation's schools, we would have considered it an act of war. At this time, Governors all over the country were working to fix state education systems, understanding that while the Federal Government has some involvement in elementary and secondary education, it only pays for about 12 percent of state budgets. Most Americans feel as though they should be in charge of their local schools, not Washington.

In 1985 and 1986, every Governor spent an entire year focused on improving schools—the first time in the history of the Governors association that it happened. I was chairman of the National Governors Association that year. The Governor of Arkansas, Bill Clinton, was the vice chairman.

In 1989, the first President Bush held a national meeting of Governors and established national education goals. Then in 1991–1992, President Bush announced Goals 2000 to help move the nation toward those goals. I was the Education Secretary at that time. States worked together to develop challenging education standards that were voluntary. States discussed teacher evaluation systems that were adopted by states such as Tennessee. In 1984, Tennessee became the first State to pay teachers more for teaching well. Washington did not dictate to Tennessee how to pay its teachers based on performance and other States began to model teacher policies in the same way. Governors began to work together on higher standards, on accountability systems, and on teacher evaluation systems.

President George W. Bush brought many of his education ideas as Governor of Texas to Washington. A large

portion of those ideas were included in No Child Left Behind, such as the requirement for annual testing to determine student achievement in every school and disaggregated reporting.

President Obama created Race to the Top to give States incentives to adopt certain standards and certain tests and certain teacher evaluation systems. Since much of No Child Left Behind became unworkable in his term, Secretary Duncan provided waivers to certain aspects of the law in exchange for telling states and districts what their academic standards should be, what their accountability system should be, how to evaluate teachers, and how to intervene in low-performing schools.

These actions have created, in essence, a national school board. We need to reverse the trend toward a national school board and put responsibilities for education back with States and local communities. There is a difference of opinion about the proper balance between the federal and state role in education. I hope we can come to agreement on that balance in the committee. We need to start discussions. We have been working on fixing No Child Left Behind for 6 years, have held multiple hearings, and have reported a bill twice to the floor. 20 of the 22 members of the committee were members last year when we had hearings and reported a bill.

I think we need to identify the seven or eight issues to fix in the law, discuss each other's points of view, and see if we can fix No Child Left Behind. I look forward to that process.

The chairman's staff's discussion draft, already distributed to committee members today, will be on the committee Web site tonight so that people can see it. We will solicit feedback. Staff will work together over the next few weeks, Senators will talk, and we will see we can turn that discussion draft into a bipartisan bill. If we can, we will mark it up in committee, have amendments, and see if we can get a bipartisan result. We will then bring it to the floor for further discussion and debate. If we can't get a bipartisan bill in committee, we will still bring a bill to the floor knowing we will have to get a bipartisan vote to get it off the floor.

I am ready to get started on this process. I have talked to almost all my colleagues on the committee, and I believe they are as well.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a list of the nine problems the chairman's staff discussion draft identifies as the problems we should work on in trying to fix No Child Left Behind. These problems generally come from the discussions we have had over the last 6 years with the House of Representatives, and with the Secretary of Education. Identifying and discussing these problems should help us move along more rapidly.

I thank the Presiding Officer.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A PLAN TO FIX “NO CHILD LEFT BEHIND”

“No Child Left Behind” (NCLB) was passed in 2001. It has become unworkable because Congress and the President failed to reauthorize and amend the law when it expired over seven years ago. NCLB’s original provisions, which continue in place today, would label as a “failing school” almost all of America’s 100,000 public schools. To avoid this unintended result, the U.S. Secretary of Education has granted waivers from the law’s provisions to 42 states, the District of Columbia, and Puerto Rico. This has created another unintended result: in exchange for the waiver, the Secretary has told these states what their academic standards should be, what accountability systems shall be used to set performance standards, how many and what tests shall be used to measure the progress of students, how to evaluate teachers and how to identify and intervene in low performing schools.

The Department has become, in effect, a national school board.

For the last six years, the Senate and the House have worked together to try to fix “No Child Left Behind.” In each of the last two Congresses, the Senate HELP Committee has held numerous hearings and reported legislation to fix the problems with “No Child Left Behind.” In 2015, the Senate HELP Committee will spend the first six weeks concluding this work and, in former Rep. George Miller’s words, report a “lean bill fixing No Child Left Behind” ready to move to the Senate floor on Feb 23. The House of Representatives is pursuing a similar schedule.

The plan is to set realistic goals, keep the best portions of the original law, and restore to states and local communities the responsibility to decide whether local schools and teachers are succeeding or failing. The HELP Committee’s bill will seek to build on thirty years of work by governors and chief state school officers to develop higher standards, better tests, stronger accountability systems, and fair and effective teacher and principal evaluation programs that will allow parents and communities to know how children in our country’s public schools are performing.

1. New Goals—The 2001 goal is unworkable. Set new, realistic but challenging goals to help all students succeed.

2. High Standards—Require states to have high and challenging standards that promote college and career readiness for all students, but the federal government may not dictate or get involved with what those standards should be, or require states to submit their standards to the federal government for review or approval.

3. Reporting Progress Toward State Standards—Continue and improve disaggregated school-by-school reporting so that parents, teachers, schools, legislators, and communities know what progress schools are making.

4. State Accountability Systems—Free all public schools from the federal requirement of conforming to a federally-defined adequate yearly progress mandate and, in exchange, require states to establish accountability systems to measure school performance toward meeting the each state’s standards.

5. Federal Support for the Lowest-Performing Schools—The federal government will continue to support states and local school districts in fixing schools that states determine are lowest performing.

6. Better Teaching—Encourage the creation of state and local school district teacher and principal evaluation systems, but the federal government may not dictate or get involved with the design of those systems.

This will replace the current federal “highly qualified teacher” requirements.

7. More Local Authority To Transfer Federal Funds—Allow school districts to transfer funds more efficiently among the largest federal education programs.

8. Consolidate and Streamline Programs—Consolidate and streamline more than 60 programs within NCLB. Eliminate those that are duplicative.

9. Empower Parents—Encourage the creation and expansion of high-quality charter schools that give teachers more freedom to teach and opportunities that give parents more choices of schools for their children.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, a century ago, President Lyndon Johnson returned to his old elementary school in rural Texas with a major piece of legislation. At a picnic table on the lawn of his school and sitting beside his very first teacher, President Johnson signed into law the Elementary and Secondary Education Act, or ESEA.

Our Nation has always held the ideal of education for everyone. In 1786, Thomas Jefferson wrote:

By far the most important bill in our whole code is that for the diffusion of knowledge among the people. No other sure foundation can be devised for the preservation of freedom and happiness.

The idea of a strong public education for every child was woven into the fabric of this Nation. But ESEA put that idea into action. It aimed to close the gaps between rich and poor, Black and White, children growing up in the crowded neighborhoods of Philadelphia, to the rural districts of Texas, children with every advantage in the world and kids with disabilities. This law moved our country in the right direction, but we still have a long way to go to close those gaps.

In the coming weeks and months, Congress will have the opportunity to make sure we continue moving our country toward this ideal and to work together to fix the broken No Child Left Behind law, because we as a nation still believe every student should have access to a quality public education, regardless of where they live or how they learn or how much money their parents make.

Education and fighting on behalf of children is what drew me to public service in the very first place. When my kids were much younger, I found out their wonderful preschool program might close because of budget cuts. I knew how valuable that program was and how much it was helping our local children, so I put my two young kids in my car and I drove off to the State capitol to explain to our legislators why they couldn’t just cut this program. When I got there and was finally able to get one of the legislators to listen to me, he said something I will never forget. He said to me: You can’t make a difference. You are just a mom in tennis shoes.

Well, I couldn’t believe that, and I was furious. I drove all the way home telling my two little kids in the car

that I was going to change that. So I got home, picked up the phone and started calling other parents, and they called other parents, and we held rallies, and we wrote letters. Finally, after it was all said and done, the legislature voted to keep the funding for that preschool program.

Throughout my career, as a preschool teacher, to serving on the local school board, the Washington State Senate, and here in the U.S. Senate, I have been committed to expanding educational opportunities and making sure every kid has someone fighting for them and their future. But that battle is far from over. Now is the time to take another big step forward, putting the ideals of our Nation into action.

The current law, No Child Left Behind, is badly broken and it is time to fix it. The good news is this doesn’t have to be a partisan issue. Nearly everyone—Democrats, Republicans, teachers, parents, business leaders—agrees this law needs to be rewritten. So today I wanted to come to the floor to lay out some pretty basic but very important principles I think should guide any bill to fix No Child Left Behind.

For one, we need to work to reduce redundant and unnecessary testing so educators focus on preparing students for college and their career and also ensure we know how all of our students are progressing. We need to continue to hold schools and States accountable for delivering on the promise of a quality education for all our kids so they can compete in the 21st century economy. We need to improve our schools and give them the resources they need so every student does have the opportunity to reach their potential. And I believe we need to expand access to early childhood education so students can go to kindergarten ready to learn.

What is clear to nearly everyone is that No Child Left Behind is not working. For one, the law requires States to set high standards for schools, but it didn’t give them the resources they needed to meet those achievement goals. In effect, this law set up our schools for failure. It sets teachers up for failure. It set our students up for failure. That needs to change.

I have heard from parent after parent and teacher after teacher in Washington State who have told me that not only are students taking too many tests, oftentimes the tests are of low quality and are redundant. That needs to change too.

We are still facing inequality in our education system, where some schools simply don’t offer the same opportunities. For example, African-American and Latino students are significantly less likely to attend a high school that offers advanced math classes. According to the Department of Education, 30 percent fewer students from low-income backgrounds reach proficiency or higher on assessments compared to their peers of affluent backgrounds. On average, kids from low-income neighborhoods don’t have access to qualified

and experienced teachers, as do students from wealthier neighborhoods. That needs to change.

The current law is not working for our States either. I have seen firsthand how No Child Left Behind is not working for my State of Washington. The law is so bad the Obama administration began issuing waivers to exempt States from the law's requirements. Washington State had received a waiver but last year it lost it. As a result, most of the schools in my home State are now categorized as failing. That means that hard-working parents sending their kids to schools in communities such as Spokane in eastern Washington, the Tri-Cities in central Washington, and Seattle, Tacoma, Everett, and many others in western Washington are receiving a letter in the mail that says their children aren't getting the type of education we expect in this country.

Not only that, but Washington now has less flexibility in how to use Federal investments in education. That needs to change.

I recently heard from a woman—her name is Lillian, who lives in Shoreline, WA—last year whose son was going into the fourth grade in the same school district where I used to serve as a school board member years ago. Her son has a learning disability. With the help of teachers and specialists in his elementary school he has shown great signs of progress. But then Lillian said she got a letter in the mail 2 weeks before school started describing the school as failing, and that left her worried about her son's education.

Because No Child Left Behind is broken, so many parents and schools and districts across the State of Washington are facing a similar uncertainty, and that is not fair to our students. That needs to change too.

It is time to rewrite No Child Left Behind with something worthy of this Nation's children and their future. In the coming weeks and months, these are some of the core principles I am going to be fighting for. Let us work with our States and districts to reduce unnecessary testing, especially by targeting redundant and low-quality tests. This is an obvious step we need to take and one you won't find much disagreement on.

That doesn't mean we should roll back standards or accountability for schools to provide a good quality education. We need to make sure we establish expectations for our students that put them on a path to competing in the 21st century global economy.

And let me be clear on assessments. We know if we don't have ways to measure students' progress, and if we don't hold our States accountable, the victims will invariably be the kids from poor neighborhoods, children of color, and students with disabilities. These are the students who too often fall through the cracks, and that is not fair. True accountability makes sure we are holding our schools up to our

Nation's promise of equality and justice. This is a civil rights issue, plain and simple.

Another reason assessments are important is they help parents monitor their kids' progress. If a school is consistently failing to provide a quality education year after year, parents deserve to know. We shouldn't forget this law provides the Nation's largest Federal investment in K-12 education. It would be irresponsible to ask our taxpayers to spend billions of dollars on education without knowing if it is making a difference in our students' lives. That is a good government principle which Democrats and Republicans should be able to agree on and which the taxpayers should have every right to expect.

So let's maintain strong accountability that measures the students' growth with statewide assessments. I believe annual assessments are one of the most important tools we have to make sure our schools are working for every student. We need to make sure these assessments don't lead to unintended consequences. But I would be very concerned about any proposal that rolls back this key student and taxpayer protection and accountability tool.

I believe we need statewide assessments that give parents, civil rights groups, and policymakers the ability to see how students are doing from district to district.

Furthermore, to make sure we are meeting our obligations to all of our students, let's increase funding for schools that have high numbers of children from low-income backgrounds. Rich or poor, every child should get a high-quality education.

The ones who are on the frontlines of this noble work—let's make sure our teachers and principals have the resources they deserve to continue to build their skills so they can best help the students about whom they care so much. Let's improve schools through innovation and with coursework that challenges our students—not just so they earn a diploma but so their diploma means they are truly college- and career-ready.

I believe Congress should only pass an education bill that expands access to preschool programs. This is a particularly important issue to me. As a mom and when I was a preschool teacher, I saw firsthand the kind of transformation early learning can inspire in a child not just to start kindergarten ready to learn but to succeed later in life. That is why law enforcement, business groups, military leaders, and so many others support expanding access to early childhood education.

Congress needs to catch up with the Democratic and Republican Governors and legislators around the country who support investments in early learning, and we need to make sure the investments in our youngest kids that will pay off for generations to come are part of this bill.

Those are just some of the core principles I am going to be focused on as we work together to revamp our Education bill.

Providing an excellent education to all students is a national priority—not just because our children deserve it but because it is one of the best investments we can make to ensure long-term and broad-based economic growth. Businesses and entrepreneurs need the next generation of workers to come in and help them innovate, invent, build, and grow. That is something I hear from my Washington State businesses all the time.

Making sure all students are able to take on the jobs of the 21st century is the only way our Nation will stay economically competitive in the years to come. Other countries are investing massively in education and their students, and we cannot afford to fall behind in this country.

Let me be clear on another point. The only way Congress will be able to fix this law is by working in a bipartisan way. That means Republicans should come to the table ready to work with Democrats to get this done. I know the Republicans are the majority in the Congress, and I welcome our new committee chair, Senator ALEXANDER. I listened carefully to his remarks and thank him for reaching out to begin this process. But parents across the country are expecting us to put partisanship aside and work together for the good of our children.

Secretary Duncan, President Obama, and so many of us here in Congress have made it very clear that we aren't going to accept a bill that hurts students or doesn't live up to the ideals of our great Nation.

There is no question, as Senator ALEXANDER said, that there are some serious differences in the way the two parties approach this, but I am confident, just as we did with the budget last Congress, we can find common ground and move forward if both sides are willing to leave their partisan corners and work across the aisle. Everyone should be able to agree that this law needs to provide every student in every school in every State with a quality education, and that is what I am going to be fighting for.

When President Johnson signed the Education bill, he said he envisioned "full educational opportunity as our first national goal." Our Nation's commitment to that ideal is so important to me and my family. I would not be here in this Senate Chamber without it. When I was 15 years old, my dad was diagnosed with multiple sclerosis. In just a few short years he could no longer work at the five-and-dime store he ran. Without warning, my family fell on hard times. But instead of falling through the cracks, my six brothers and sisters and I got a good education because of our public schools, and we all went to college with the support from the program we now know as Pell grants. My mother was

able to get the skills she needed to get a job through a worker training program at Lake Washington Vocational School.

Today I believe we need to continue to make education a national priority so more families can seize the opportunities that are only possible with access to a good education. So I am glad to be here on the floor today with the chairman of our committee, and I call on Democrats and Republicans to work together to fix this law.

For the child who may not live in the best neighborhood or the kid whose parents are struggling to make ends meet, for every student who deserves the chance to learn, grow, and thrive—I hope we can work together to write a bill to make sure every child in this country gets a quality education. Let's make sure our country continues to have the best workforce the world over. Let's deliver on Jefferson's promise of education as the foundation for freedom and happiness.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Washington for her remarks. In the spirit of her remarks, I am delighted to have the privilege of working with her in Congress because of her leadership position, her background, her caring for children, and her reputation for getting results. I like all of those things.

I neglected to mention that our first hearing will be on the 21st—a week from Wednesday—on testing and accountability. I am working with Senator MURRAY to see if perhaps we can agree on the witnesses. The purpose of the hearing is to ask the questions she asked: Are these the right tests? Are they redundant tests? Are there too many tests? What are we hearing from across the country?

I thank the Senator for her comments. I took careful notes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

LAW ENFORCEMENT

Mr. TOOMEY. Mr. President, I rise to speak about the law enforcement in Pennsylvania and throughout the country.

We just finished the holiday season, and in my family—as with many of us, I am sure—we had a wonderful Christmas in our homes, had a wonderful meal, and got to watch the kids open their presents.

There are a lot of Pennsylvanians and Americans who didn't have the chance to do what we got to enjoy, and they were the law enforcement men and women who were out on the streets, in the cold, protecting us as they do day in and day out because their work goes on 24/7, 365 days a year.

Just this past Saturday a number of us gathered on Independence Mall in Philadelphia. Several hundred people braved a very cold and windy day to let the law enforcement officials of Penn-

sylvania and beyond know just how much we appreciate the sacrifice they make for us day in and day out. We had a terrific turnout. It was a very enthusiastic crowd who rallied in support of our police officers.

But being a police officer is not just often inconvenient; sometimes it is very dangerous. Last year 115 police officers died in the line of duty. So far we are 13 days into a new year and 10 officers have already been shot and wounded.

Often these police officers have been targeted and shot just because of the uniform they wear. Unfortunately, Pennsylvania is not immune to this problem. Last year on September 12, late at night, two Pennsylvania State troopers were coming in for their shift at work, and Eric Frein was lying in wait, hiding in the woods, with a high-powered rifle. He shot and killed Corporal Bryon Dickson, and he shot Trooper Alex Douglass, who was grievously wounded. The killer, Eric Frein, didn't know either Corporal Dickson or Trooper Douglass; he shot the two police officers simply because they were police officers. He thought that somehow by killing a cop he would help spark a revolution. Such is the madness police officers have to face on a regular basis. On any given day they don't know that they won't run into that kind of insanity.

It is important for us to remember that these victims—in this case, Corporal Dickson—aren't just numbers and badges. Corporal Dickson was a dad, the father of two young boys. He used to enjoy making toys for his sons. He was a devoted husband who had recently celebrated his 10th wedding anniversary. He was a proud Marine Corps veteran.

I am proud, as Pennsylvanians generally are, of the response of law enforcement to the savage and despicable shooting of these two State troopers. Officers from all across Pennsylvania and surrounding States and even around the country joined in a very intensive, tireless, 7-week-long manhunt. In the end they found Eric Frein, and they brought him into custody wearing the handcuffs of Corporal Dickson. He will meet justice.

But, of course, the story doesn't end there. There was another terrible tragedy just last month in Brooklyn. Just 5 days before Christmas, Officer Rafael Ramos and Officer Wenjian Liu were both murdered in the line of duty. In the middle of the afternoon, in broad daylight, a gunman approached their marked police vehicle while they sat in the vehicle and shot each police officer point-blank range in the head, killing them both instantly. The motivation of the gunman was very clear: He just wanted to kill any police officer he could. That day, the gunman posted messages such as "They Take 1 of Ours . . . Let's Take 2 of Theirs." Another message he posted used the hashtag advocating "Shoot the Police."

Officers Ramos and Liu were not just nameless people in uniforms either.

Officer Ramos was described by his family and friends "as a Puerto Rican kid who grew up on these streets" in Queens and never stopped trying to help the people in his community. Officer Ramos had spent the last 10 years of his life studying to become a chaplain. He was murdered just an hour before his graduation ceremony. Officer Ramos joined the police force at the age of 37. He explained that he saw the streets as his ministry and that by protecting and serving his community, he was serving God as well. Officer Ramos left behind his wife and two sons, 19-year-old Jaden and 13-year-old Justin.

Officer Liu was the other victim that day. In many ways, Officer Liu was the epitome of the American dream. He was a young boy who at age 12 came from China to America with his family. He was a teenage boy who left playground basketball games occasionally so he could do the shopping for his family's groceries. He was a young man who was so inspired by the heroism he saw on September 11 that he decided he would become a police officer. He was the police officer who called home every night to let his dad know he had finished a day of work safely—every night, that is, except December 20, when the phone call never came. Officer Liu is survived by his wife, whom he married just 3 months before.

The response of law enforcement to the savage murders of Officer Ramos and Officer Liu should make every American proud. Over 25,000 police officers traveled from across America and from parts of Canada to attend the funeral services last month.

We can never really fully repay the debt of the men and women who sacrifice their very lives protecting us, but there are small things we can do to help the families they leave behind. I want to call on Congress to take one small step toward that goal. We should pass the Children of Fallen Heroes Scholarship Act, and we should do so soon.

The Children of Fallen Heroes Scholarship Act simply provides that any child whose parent dies in the line of duty as a member of the armed services or as a public safety officer would be entitled to the maximum permissible scholarship under the Pell Grant Program for their attendance in college.

Five years ago the House of Representatives unanimously passed this legislation. My fellow Pennsylvanian Senator BOB CASEY plans to reintroduce this legislation. I would be cosponsoring this legislation, and I call on Congress to pick up where it left off back in 2010 and enact the Children of Fallen Heroes Scholarship Act.

I also want to take a moment to address the recent spate of protests we have seen. People have gone out on to the streets and across the country, often harshly criticizing the officers. I want to be clear, if people want to protest, they have the right to protest; and I would never challenge their right to say what is on their minds or to convey whatever message they would like

to convey. But I would hope they would keep a few basic facts in mind as they consider, or in fact carry out, the protests.

No. 1, any human institution is going to be imperfect. That is the nature of humanity. It consists of human beings. So it therefore will be imperfect. But the fact is that the overwhelming majority of police officers are honest, hard working, decent Americans, and they are motivated by the desire to serve and protect the community in which they live, and they don't have a racist bone in their bodies.

So my message to law enforcement is I understand how demoralizing it must have been recently to see some of these protests, to hear some of the outrageous and slanderous statements that have been made. But these protestors don't speak for most Americans. The fact is, a big majority of Pennsylvanians and, I suspect, a big majority of Americans know that every day 780,000 men and women across America who put on their blue uniforms and put on their badges are answering to the call of the people in need when they need them the most, and they put themselves in great danger to serve all of us. When other people choose to run away from danger, they are the ones who have to run toward it.

So just as the law enforcement community has stood by the families of all the victims, and that of Officer Dickson, Officer Ramos, and Officer Liu, I want you to know that America stands with you.

Thank you, Mr. President, and I yield the floor.

THE PRESIDING OFFICER (Mr. LANKFORD). The Senator from Alabama.

MR. SESSIONS. First, I would like to thank my colleague from Pennsylvania for his thoughtful remarks. As one who has been involved in law enforcement for a number of years and having great friends in the law enforcement community, I am well aware of what their duties are like.

I remember we had a dangerous event here at our Capitol, and one of the police officers raced around the building to the scene of the event. Did he know what could happen to him? Could there be a team of terrorists waiting to assassinate him when he came around that corner?

What if a police officer responds to a domestic violence call at the a home? They don't know what is behind that door and what might happen to them. It is a tough job. They have a right to come home to their family and their children. They do not have to allow themselves to be murdered by someone who is a danger. It is a tough issue. Police departments work at it very hard.

I thank Senator TOOMEY for his beautiful remarks. I think they are very appropriate at this time.

Mr. President, with regard to the Keystone Pipeline issue and the discussion we have been having here, I want

to associate myself with a series of very important and balanced concerns raised in support of that pipeline.

We have pipelines that criss-cross my State, as the Presiding Officer does in Oklahoma. We don't have problems with them. I cannot remember when somebody raised a problem, environmentally, about a pipeline. We know they are less likely to cause environmental damage than transportation by train or truck. We know they are less likely to be accessed. We know there is less energy consumed in that process. So I want to associate myself with that.

But there is something that has been bothering me for quite a long time, and I want to raise that point today because I think it is so valid and I think it is important for all of us to understand. The reason this Senator and I think others have advocated for more production of American energy, advocated for these issues and for more production is not to benefit some oil company, as we have been wrongly accused, not to benefit some rich group, it is to benefit the American consumer. The more energy we produce in America, the more the American people benefit.

We import a great deal of oil today. It is less now because we are producing more through the new technology of fracking and other technology. We have seen a reduction in the amount we import. Much of it has been imported from places such as Saudi Arabia, Venezuela, and Libya—many places with which we have not had very good relations. So we have made a transfer of wealth from the American people to foreign nations—weakening us and strengthening them. Many of them have not been friendly to us over the years, as I have said. So we have a choice in this vote to help supply a shortage we have from our—perhaps—closest ally in the world, Canada.

I was at the Canadian-American Interparliamentary Group. I was surprised how deeply our Canadian friends feel about this pipeline. They cannot imagine why we wouldn't want to buy oil from them as opposed to other countries around the world. They purchase all kinds of products from us. We have a good, fair, and honest trading relationship with Canada. They support us throughout the world, consistently in the U.N. and in other places, on important issues—important to the American people. We have so many common interests.

No. 1, I just want to say if we are going to import oil from around the world to meet our needs, there is no better country we could ever choose to import from than Canada, our friend and neighbor.

No. 2, it has been said that this is being done to help some big business. That is not the way this system works. In a free market system, bringing in this oil provides another source of oil for consumers. They don't have to buy the Canadian oil if it is not cheaper. They wouldn't build this pipeline if

they didn't think they could sell the oil cheaper than Saudi Arabia and Venezuela could produce it or even America could produce it. They believe they can sell it, and they have to sell it for a lower cost or they won't sell it.

What would the lower cost mean? It means good things for mothers, for children, for families, and for businesses. All over America we have lower cost energy to make America a stronger, more vibrant world-class economy. We are able to compete in the world market if our energy costs are below other nation's energy costs. It helps us overcome the wage differences that Americans have compared to other places around the world. This reliable source of energy is important.

I guess what I wish to say to my colleagues is that this is an opportunity for us to make a statement. The statement is we are going to help the American people by reducing the cost of their energy so they may have more money each month to maybe go out to a movie, to go out to eat—and it can make quite a difference.

Well, they say the price is fixed. You know, these guys have got these powers, and try to manipulate prices. I don't deny that goes on in the world. But one of the most powerful forces in the world is supply and demand. If the oil companies are so powerful, why has oil fallen from \$110 a barrel this summer to now \$46 a barrel today? Why did this happen? Because there is a supply from fracking, from other sources around the world. It has brought up the supply, created some surplus, and the prices have collapsed. There are a lot of oil companies out there that are hurting today.

So if you don't like big oil and you don't like the big oil companies, why would you want to oppose importing oil that would be cheaper? This is the way the free market system works. I would say the market system is working. I saw an expert yesterday in Barron's indicating that oil could fall to \$20 a barrel. That would be great for the American consumer.

I spoke with an oilman. I teased him a little bit. I said: I hope you saved some money, because I like this low-priced oil. Don't come in here and ask me to have oil go up on my constituents, on American consumers.

I mean, I appreciate the fact that people go out there and they drill these multimillion dollar wells and sometimes they are dry and sometimes they hit. That is the great American free market system. Some people have gotten rich. A lot of them have gone broke. There has been boom and bust in the oil industry since the beginning of time, as it is documented by Daniel Yergin in the book "The Prize" and by other writers. This is the way it has always been.

We benefit when the price falls, and importing a good source of oil from our neighbor Canada at a competitive price provides one more source that helps keep the price down and gives more options to the American people. It is the

right thing to do, colleagues. I cannot imagine that we would want to favor importation of oil from other countries over Canada.

I believe we should go forward with this, and I am concerned that the President and his allies are not in agreement. But look, this is a true fact, as many of us who have been involved in these issues for several years have come to understand. There is a large group of folks out there—activists, environmental extremists, and not just good environmentalists but people who have extreme views—who want the price of energy to go up. President Obama even said it in the campaign when he ran the first time. He said the price of electricity would necessarily skyrocket. That is not my policy. That is not the policy of a good public servant, in my view, for America, for the American workers. Personally, I want the electric bill as low as we could possibly keep it, consistent with good environmental and clean activities, and I want that gasoline bill as low as we can get it. That is what we should do, and that is how we can make this country better. It will make it tougher for a lot of these guys who have been sitting on oil at \$100 a barrel and now it is \$46.

So who is the loser with more supply? The guys who have been sitting on the energy. I don't bear any grief for them. I am happy if they make money. They have to go through tough times just as everybody else does.

I want to thank Senator HOEVEN and others who worked so hard on this legislation. I believe we are in a position to see some positive action occur in the next few days and look forward to creating an additional supply of oil from an ally of the United States that will bring down the price of oil perhaps even further in the world and in the U.S. market.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I wish to take a few moments to speak about an amendment that I will be offering as part of the Keystone Pipeline legislation. It is an extremely simple, straightforward amendment. It is a brief amendment, but it basically raises a very fundamental issue, and that issue is whether the Senate will abide by scientific evidence, will come down on the side of science as we debate this enormously important issue of climate change.

The amendment is very brief, and I wish to read it and then explain why I believe it is such an important amendment. This is what it says:

It is the sense of Congress that Congress is in agreement with the opinion of virtually

the entire worldwide scientific community that, No. 1, climate change is real; No. 2, climate change is caused by human activities; No. 3, climate change has already caused devastating problems in the United States and around the world; No. 4, a brief window of opportunity exists before the United States and the entire planet suffer irreparable harm; and No. 5, it is imperative that the United States transform its energy system away from fossil fuels and toward energy efficiency and sustainable energy as rapidly as possible.

That is it. That is the entire amendment. I would say that for the scientific community around the world, there is nothing in that statement that smacks of controversy. These are simple statements of fact, agreed to by the overwhelming majority of scientists who have written and studied climate change.

Climate change is, in fact, one of the great threats facing our country and the entire planet. It has the capability of causing severe harm to our economy, to the food supply, to access to water, and to national security.

The Intergovernmental Panel on Climate Change—the leading international scientific body on this issue—reported yet again this past fall that “warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level.”

More than 97 percent of the scientific community in the United States and across the globe agrees with these findings, including, among many other organizations, the American Association for the Advancement of Science, the American Chemical Society, the American Meteorological Society, and the American Geophysical Union, to name just a few. In fact, at least 37 American scientific organizations, 118 international scientific organizations and national academies, and 21 medical associations all agree that climate change is real and is being caused by human activities.

I ask unanimous consent to have printed in the RECORD a list of 37 American scientific organizations, 135 international scientific organizations, 21 medical associations, and some religious and teacher organizations that understand that climate change is real and that it is caused by human activity.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Virtually every major scientific organization in this country and throughout the world have said that climate change is real, climate change is caused by carbon emissions and human activity, and that climate change is already causing devastating problems in the United States of America and around the world.

This list includes at least:

37 American scientific organizations, 135 international scientific organizations, 21 medical associations, 4 religious organizations.

37 AMERICAN SCIENTIFIC ORGANIZATIONS

American Anthropological Association, American Association for the Advancement

of Science, American Association of Geographers, American Association of State Climatologists, American Astronomical Society, American Chemical Society, American Fisheries Society, American Geophysical Union, American Institute of Biological Sciences, American Institute of Physics, American Meteorological Society, American Physical Society, American Quaternary Association, American Society for Microbiology, American Society of Agronomy, American Society of Plant Biologists, American Statistical Association, Association of American Geographers, Association of Ecosystem Research Centers, Botanical Society of America, California Academy of Sciences.

Crop Science Society of America, Ecological Society of America, National Academy of Engineering, National Academy of Sciences (USA), National Association of State Foresters, New York Academy of Sciences, Scripps Institution of Oceanography, Society for Industrial and Applied Mathematics, Society of American Foresters, Society of Systematic Biologists, Soil Science Society of America, The Geological Society of America, The Wildlife Society, United States National Research Council, University Corporation for Atmospheric Research, Woods Hole Oceanographic Institution.

135 INTERNATIONAL SCIENTIFIC ASSOCIATIONS

Academia Brasileira de Ciências (Brazil), Academia Chilena de Ciencias (Chile), Academia das Ciencias de Lisboa (Portugal), Academia de Ciencias de la República Dominicana, Academia de Ciencias Físicas, Matemáticas y Naturales de Venezuela, Academia de Ciencias Médicas, Físicas y Naturales de Guatemala, Academia Mexicana de Ciencias, Academia Nacional de Ciencias de Bolivia, Academia Nacional de Ciencias del Perú, Academia Sinica, Taiwan, China, Académie des Sciences et Techniques du Sénégal, Académie des Sciences (France), Academy of Athens, Academy of Science for South Africa, Academy of Science of Mozambique, Academy of Sciences Malaysia, Academy of Sciences of Moldova, Academy of Sciences of the Czech Republic, Academy of Sciences of the Islamic Republic of Iran, Academy of Scientific Research and Technology, Egypt, Accademia dei Lincei (Italy), Africa Centre for Climate and Earth Systems Science.

African Academy of Sciences, Albanian Academy of Sciences, Amazon Environmental Research Institute, Australian Academy of Science (Australia), Australian Coral Reef Society, Australian Institute of Marine Science, Australian Institute of Physics, Australian Marine Sciences Association, Australian Meteorological and Oceanographic Society, Bangladesh Academy of Sciences, Botanical Society of America, British Antarctic Survey, Bulgarian Academy of Sciences, Cameroon Academy of Sciences, Canadian Association of Physicists, Canadian Foundation for Climate and Atmospheric Sciences, Canadian Geophysical Union, Canadian Meteorological and Oceanographic Society, Canadian Society of Soil Science, Canadian Society of Zoologists, Caribbean Academy of Sciences, Center for International Forestry Research, Chinese Academy of the Sciences, Colombian Academy of Exact, Physical and Natural Sciences, Commonwealth Scientific and Industrial Research Organisation (Australia).

Croatian Academy of Arts and Sciences, Cuban Academy of Sciences, Delegation of the Finnish Academies of Science and Letters, Deutsche Akademie der Naturforscher Leopoldina (Germany), Ecological Society of Australia, European Academy of Sciences and Arts, European Federation of Geologists, European Geosciences Union, European Physical Society, European Science Foundation, Federation of Australian Scientific and

Technological Societies, Geological Society of Australia, Geological Society of London, Georgian Academy of Sciences, Ghana Academy of Arts and Sciences, Indian National Science Academy, Indonesian Academy of the Sciences, Institute of Biology (UK), Institute of Ecology and Environmental Management, Institute of Marine Engineering, Science and Technology, Institution of Mechanical Engineers, UK.

InterAcademy Council, International Alliance of Research Universities, International Arctic Science Committee, International Association for Great Lakes Research, International Council for Science, International Council of Academies of Engineering and Technological Sciences, International Research Institute for Climate and Society, International Union for Quaternary Research, International Union of Geodesy and Geophysics, International Union of Pure and Applied Physics, Islamic World Academy of Sciences, Israel Academy of Sciences and Humanities, Kenya National Academy of Sciences, Korean Academy of Science and Technology, Kosovo Academy of Sciences and Arts, Latin American Academy of Sciences, Latvian Academy of Sciences, Lithuanian Academy of Sciences, Madagascar National Academy of Arts, Letters, and Sciences, Mauritius Academy of Science and Technology, Montenegrin Academy of Sciences and Arts.

National Academy of Exact, Physical and Natural Sciences, Argentina, National Academy of Sciences of Armenia, National Academy of Sciences of the Kyrgyz Republic, National Academy of Sciences, Sri Lanka, National Council of Engineers, Australia, National Institute of Water & Atmospheric Research, New Zealand, Natural Environment Research Council, UK, Nicaraguan Academy of Sciences, Nigerian Academy of Science, Norwegian Academy of Sciences and Letters, Organization of Biological Field Stations, Pakistan Academy of Sciences, Palestine Academy for Science and Technology, Polish Academy of the Sciences, Romanian Academy, Royal Academies for Science and the Arts of Belgium (Belgium), Royal Academy of Exact, Physical and Natural Sciences of Spain, Royal Astronomical Society, UK, Royal Danish Academy of Sciences and Letters, Royal Irish Academy, Royal Meteorological Society, Royal Netherlands Academy of Arts and Sciences, Royal Netherlands Institute for Sea Research, Royal Scientific Society of Jordan, Royal Society of Canada.

Royal Society of Chemistry, UK, Royal Society of New Zealand, Royal Society, UK, Royal Swedish Academy of Sciences, Russian Academy of Sciences, Science Council of Japan, Serbian Academy of Sciences and Arts, Slovak Academy of Sciences, Slovenian Academy of Sciences and Arts, Society of Biology, UK, Society of Systematic Biologists, Sudanese National Academy of Science, Tanzania Academy of Sciences, The Geological Society (UK), The World Academy of Sciences (TWAS) for the developing world, Turkish Academy of Sciences, Uganda National Academy of Sciences, Union der Deutschen Akademien der Wissenschaften, World Meteorological Association, Zambia Academy of Sciences, Zimbabwe Academy of Sciences, Sudan National Academy of Sciences.

21 MEDICAL ASSOCIATIONS

American Academy of Pediatrics, American College of Occupational and Environmental Medicine, American College of Preventive Medicine, American Lung Association, American Medical Association, American Nurses Association, American Public Health Association, American Thoracic Society, Association of State and Territorial Health Officials, Australian Medical Association,

Children's Environmental Health Network, Health Care without Harm, Hepatitis Foundation International, National Association of County and City Health Officials, National Association of Local Boards of Health, National Environmental Health Association, Partnership for Prevention, Physicians for Social Responsibility, Trust for America's Health, World Federation of Public Health Associations, World Health Organization.

4 RELIGIOUS ORGANIZATIONS

Interfaith Power and Light, National Association of Evangelicals, Presbyterian Mission Agency, The Pope.

OTHER ORGANIZATIONS

American Association for Wildlife Veterinarians, American Society of Civil Engineers, International Association for Great Lakes Research, Institute of Professional Engineers New Zealand, Natural Science Collections Alliance, Organization of Biological Field Stations, The Institution of Engineers Australia, The World Federation of Engineering Organizations, World Forestry Congress.

Mr. SANDERS. Mr. President, let me read from an excerpt of a letter signed by virtually every major scientific organization in this country that was sent to the U.S. Senate way back in 2009. This is what the letter states:

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver. These conclusions are based on multiple independent lines of evidence, and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science. Moreover, there is strong evidence that ongoing climate change will have broad impact on society, including the global economy and on the environment. For the United States, climate change impacts include sea level rise for coastal states, greater threats of extreme weather events, and increased risk of regional water scarcity, urban heat waves, western wildfires, and a disturbance of biological systems throughout the country. The severity of climate change impacts is expected to increase substantially in the coming decades.

Let me repeat that one sentence:

The severity of climate change impacts is expected to increase substantially in the coming decades.

We know that the Earth's climate is warming and warming quickly as a result of industrial greenhouse gas emissions. The 2014 National Climate Assessment reported:

The most recent decade was the nation's warmest on record. U.S. temperatures are expected to continue to rise.

According to NOAA, October, August, June, and May were the hottest months ever recorded. And 2012 was the warmest year on record in the contiguous United States and saw at least 69,000 local heat records set.

The consequence of this rapid and dramatic rise in global temperatures—what does that mean? What is going to happen? The answer is, it is going to mean more severe storms, more flooding and destructive storm surges, heat waves, drought, forest fires, and the inundation of water supplies and agricultural land with saltwater.

As the New York Times reported in August, droughts in the West and

Southwestern United States appear to be intensifying as a result of climate change.

Over the past decade, droughts in some regions have rivaled the epic dry spells of the 1930s and 1950s. . . . The country is in the midst of one of the most sustained periods of increasing drought on record.

China's heat wave a year and a half ago was the worst in at least 140 years. Fire-suppression costs in the United States have increased from roughly \$1 billion annually in the mid-1990s to an average of more than \$3 billion in the last 5 years, adjusted for inflation, reports the National Climate Assessment.

Our oceans are not just warming, they are becoming more acidic, threatening fish, coral reefs, and other sea life.

A study published in the *Journal of Science* reported:

Carbon dioxide emissions in the atmosphere are driving a rate of change in ocean acidity, which is already thought to be faster than at any time in the past 50 million years.

The authors warn that we may be entering an unknown territory of marine ecosystem change.

Extreme storms are also becoming more common and more intense, with extraordinary impacts. For example, when Typhoon Haiyan struck the Philippines a year ago, it displaced over 4 million people, killed thousands, and cost the country at least \$15 billion in damages.

What will happen if we fail to cut back dramatically on greenhouse gas emissions and climate change continues to accelerate? What will that reality mean for our country and for the globe? The IPCC estimates that without additional efforts to reduce greenhouse gas emissions, "warming is more likely than not" to exceed 4 degrees Celsius—7.2 degrees Fahrenheit—by the end of the century.

Let me repeat that. If we do not begin the process to dramatically reverse carbon emissions and slow down the warming of this planet by the end of the century, warming is more likely than not to exceed 4 degrees Celsius, which is 7.2 degrees Fahrenheit, resulting in a planet that is over 7 degrees Fahrenheit warmer.

Similarly, just last year the White House released the National Climate Assessment, emphasizing that global warming is already happening and warning that global warming could exceed 10 degrees in the United States by the end of the century—10 degrees Fahrenheit.

The World Bank, which is a pretty conservative organization, talked about a world in which temperatures increase by just 4 degrees Celsius, that that would be one of unprecedented heat waves, severe drought, and major floods in many regions, with serious impacts on many systems, ecosystems, and associated services. This is the warning we hear from the World Bank, which is a fairly conservative international organization.

The IPCC reports that sea levels are likely to rise another 10 to 32 inches by the end of the century. Some studies have reported projected increases of more than 6 feet during that time period.

As the New York Times reported, a rise of less than 4 feet would inundate land on which some 3.7 million Americans live. Miami, New Orleans, New York, and Boston are highly vulnerable.

Similarly, according to the IPCC, “many small island nations are only a few meters above present sea level. These states may face serious threat of permanent inundation from sea-level rise.”

Reuters has reported that experts estimate that if the sea level rises by 1 meter over the next 50 years, 20 million additional people will be displaced from their land.

The Army Corps of Engineers has predicted that the entire village of Newtok, AK, could be underwater by 2017 and more than 180 additional Native Alaskan villages are at risk. Parts of Alaska are literally vanishing.

As reported in the journal *Forest Ecology and Management*, U.S. Forest Service researchers reported that wildfires are expected to increase 50 percent across the United States under a changing climate and over 100 percent in areas of the West by 2050. So huge increases in forest fires are expected.

The World Health Organization reported in August that the number of weather-related natural disasters has more than tripled since the 1960s, and more than 60,000 people now die each year in weather-related natural disasters. By 2020 food production is estimated to drop by 50 percent in some African countries, and by 2090, the World Health Organization anticipates, climate change will double the frequency of drought and the duration will be six times longer.

In 2003 a heat wave in Europe killed an estimated 70,000 people. As a study published in *Nature Climate Change* projects, however, Europe will likely experience severe heat waves once every 5 years now, which is 10 times more frequent than just a decade ago.

The need to act quickly is profound and pronounced. In its fifth assessment, the IPCC found that “without additional mitigation efforts beyond those in place today, and even with adaptation, warming by the end of the 21st century will lead to high to very high risk of severe, widespread, and irreversible impacts globally.”

In order to prevent “irreversible and severe impacts,” we must quickly reduce greenhouse gas emissions in order to keep warming below 2 degrees Celsius, and to do that we must transform our energy system away from fossil fuel and into energy efficiency and sustainable energy.

In the face of this overwhelming evidence, in the face of deep concerns all over this planet, what is the Senate

going to do over the next few weeks? Well, I hope very much that we do not go forward with the Keystone Pipeline, which moves us exactly in the wrong direction by expanding the production and transportation of some of the dirtiest fossil fuel on this Earth. I think that would be a terrible mistake. But maybe more importantly, I hope the Senate goes on record in strongly supporting the overwhelming scientific evidence which tells us loudly and clearly that climate change is real, that climate change is caused by human activity and the emission of carbon, and that climate change is already causing devastating problems in our country and around the world.

We have a short window of opportunity in order to move dramatically to reverse climate change and cut carbon, and we must transform our energy system away from fossil fuel to energy efficiency and sustainable energy.

I intend to offer an amendment which basically urges the entire U.S. Senate to go on record in making it clear that they understand what scientists are talking about. They are going to listen to the scientific community, and they are going to take actions for which our kids and our grandchildren will be proud of them so that we do not leave them with a nation and a planet substantially less habitable than the planet on which we were born.

With that, I want to thank Senator BENNET and Senator CARPER for cosponsoring this amendment. I hope we can have more cosponsors and I look forward to seeing the adoption of this important amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

PERSONAL IDENTITY THEFT

Mr. NELSON. Mr. President, I want to speak on the Keystone Pipeline, but before I do, I want to alert the Senate that I am filing legislation today to try to protect the average American from the breach of data in an individual company and therefore the loss of their personal identification.

We have had a number of cases where there have been these wide data breaches in companies with hundreds of thousands of records being stolen. And, of course, woe to you if, in fact, your personal identity is stolen. It may manifest itself in so many different ways, not the least of which we have seen particularly in the Tampa and the Miami area of my State—the use of stolen Social Security numbers to file false income tax returns seeking refunds. Believe it or not, there was a ring in Tampa that was actually doing this so successfully that the street crime actually dropped—the burglaries, the robberies, the breakings and enterings, all of that dropped because suddenly the criminals found it was so easy to use a laptop instead, once they had secured the stolen ID, to generate these false income tax returns. That is just one example.

The fact is if your identity is stolen because of a breach in a corporation,

you should have a right of having the knowledge that your security has been breached. Therefore, we are filing today, with a number of cosponsors, simple legislation that I have filed before in previous Congresses, that if data is stolen from a company, it is incumbent upon that company to notify its customers within 30 days that their secure information has been stolen. That is it. Plain and simple.

Mr. President, I want to talk about the Keystone XL. I would first remind anybody who is not familiar with this issue, this is the Keystone XL Pipeline. What does XL stand for? It stands for extra large. Well, if this is an extra-large pipeline, that would indicate there is a smaller pipeline, and in fact there is. There is a smaller pipeline that is in existence from Canada coming across the northern part of the United States, coming down to a terminal in southern Missouri.

It was about 2 years ago that the President announced he was going to start and allow the extension of that southern terminus all the way to the gulf where there are the refineries. That is under construction. I don't know the completion date. It may be already completed. So there is a pipeline from Canada all the way to the gulf coast.

If what the oil interests in Canada want is a larger pipeline, XL, a lot of this environmental debate could have been avoided if you simply ran it along the same route as the existing pipeline. In fact, there wouldn't have been all the controversy about all of the aquifer and the recharge area right across the middle of Nebraska that the State of Nebraska got so exercised about, and at first the Governor and the various State officials took the position they did not want this.

Finally, a new route was negotiated and the route was further to the east, not right across the middle of the recharge area which supplies a lot of the aquifer not only in Nebraska but a lot of the Western States. Yet it is still running across part of the aquifer. We would have avoided all of that had you just run the XL pipeline right along the existing pipeline. There wouldn't have been all of this siting problem. The environmental problems associated with the pipeline wouldn't have been there.

But why was it done? This is all politics. It was done in the middle of the Presidential campaign going back—coming up to the 2012 campaign, and it was supposedly to show that the President was anti-energy, anti-energy independence because he wasn't in favor of creating more oil production in North America.

Well, that is clearly what played out. But along the way, then the question came: Well, assuming you put this pipeline there, what is going to happen to that Canadian oil? Where is it going to go? It was a legitimate question.

The answer to that was it was going to go right out to additional foreign

countries. So this particular Senator said, now wait a minute, do I understand that you want Canadian oil to have a conduit right through the center of the United States to a port in the Gulf of Mexico, then to be exported to foreign countries? And the answer to that was yes.

I said, well, since it seems as though it would be in the interests of the United States that we at least keep part of that in the United States for consumption so it would lessen our dependence on foreign oil coming from the Middle East or coming from places where we used to get some 12 percent to 20 percent of our oil—thank goodness we don't today, but used to from a place such as Nigeria. You know how troubled that area is now.

My question was: Well, wouldn't it make sense that we keep some of that oil in the United States for domestic uses so we didn't have to rely on oil coming from Saudi Arabia, the Persian Gulf area, from the West Coast of Africa? The answer was that they would not entertain an amendment that would prohibit that oil from being exported. Likewise, if the oil is refined on the gulf coast, it is not prohibited from being exported.

I am just a country boy from Florida, but I can put two and two together. It simply does not make sense to me that you would want foreign oil to come in a conduit through the United States right through the heartland to go right out to other oil-thirsty nations in the world. If that were the case, then why doesn't Canada take an oil pipeline and build it themselves to the west, through the Pacific Coast? Or why wouldn't Canada use the existing structures and end up in the Great Lakes and send the oil out through the Great Lakes?

And yet, what did I say? This is politics.

Since the motion to invoke cloture on the motion to proceed last night was passed, this is going to be in front of the Senate. There are going to be opportunities for amendments, and I can tell you that this Senator is going to support the amendment that prohibits this oil from being sent out to other countries.

If we are really interested in the security of the United States, national security, our independence from foreign oil, since Canada is such a close friend and ally, this would be in the interests of the United States.

The fact is that it is coming at an interesting time. It is getting all the more complicated. It used to be that oil—and you think back a half a year, three-quarters of a year ago, oil was selling in excess of \$100 barrel. Yesterday it was just over \$46 a barrel. It is said that Canada cannot efficiently produce this oil and have any break-even point unless oil is selling in the range of \$70 a barrel. So why in the world would Canada even want to do this right now, particularly at a time that oil is at \$46 and may stay down for

some period of time, even a year or two?

I think if we apply some country-boy logic to this, there are sufficient significant questions—first of all, to kill the bill, and if that is not possible, certainly to amend it so that it complies with the financial and national security interests of the United States. That is the intention of this Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that all postcloture time on the motion to proceed to S. 1 now be expired and the Senate proceed to a vote on the motion to proceed; that if the motion to proceed is adopted, the bill be reported and that Senator MURKOWSKI be recognized to offer a substitute amendment, the text of which is at the desk.

I further ask that the following amendments be in order to be offered during this week's session by Senators CANTWELL and MURKOWSKI or their designees: Markey amendment No. 13 related to oil exports; Portman amendment No. 3; a Franken amendment related to U.S. steel; and that the consideration of these amendments be in the order listed and the bill be for debate only during this week's consideration.

The PRESIDING OFFICER. Is there objection?

Ms. CANTWELL. Mr. President, reserving the right to object. I just want to note for my colleagues that this agreement has been worked out on both sides; that instead of staying until midnight and having a great deal of uncertainty as we approach the next 2 days for both of our caucuses to have retreats, giving people predictability about Friday and next Monday being a holiday, working out a back-and-forth on these agreements I think is a good way to proceed.

I hope people will feel free on Friday to come and dialogue about these or other amendments. But this process is one I think we should pursue at this point, so I will not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I have discussed the process going forward on this bill with our leader, the majority leader, and Senator CANTWELL. It is our intention to work together so the two bill managers or their designees continue to offer amendments in an alternating fashion.

The PRESIDING OFFICER. All time is expired.

The question is on agreeing to the motion to proceed.

The motion was agreed to.

KEYSTONE XL PIPELINE ACT

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1) to approve the Keystone XL Pipeline.

AMENDMENT NO. 2

Ms. MURKOWSKI. Mr. President, at this time I call up my amendment No. 2.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO, proposes an amendment numbered 2.

Ms. MURKOWSKI. I ask unanimous consent that reading of the amendment be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Keystone XL Pipeline Approval Act".

SEC. 2. KEYSTONE XL APPROVAL.

(a) IN GENERAL.—TransCanada Keystone Pipeline, L.P. may construct, connect, operate, and maintain the pipeline and cross-border facilities described in the application filed on May 4, 2012, by TransCanada Corporation to the Department of State (including any subsequent revision to the pipeline route within the State of Nebraska required or authorized by the State of Nebraska).

(b) ENVIRONMENTAL IMPACT STATEMENT.—The Final Supplemental Environmental Impact Statement issued by the Secretary of State in January 2014, regarding the pipeline referred to in subsection (a), and the environmental analysis, consultation, and review described in that document (including appendices) shall be considered to fully satisfy—

(1) all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(2) any other provision of law that requires Federal agency consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a))) with respect to the pipeline and facilities referred to in subsection (a).

(c) PERMITS.—Any Federal permit or authorization issued before the date of enactment of this Act for the pipeline and cross-border facilities referred to in subsection (a) shall remain in effect.

(d) JUDICIAL REVIEW.—Except for review in the Supreme Court of the United States, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction over any civil action for the review of an order or action of a Federal agency regarding the pipeline and cross-border facilities described in subsection (a), and the related facilities in the United States, that are approved by this Act (including any order granting a permit or right-of-way, or any other agency action taken to construct or complete the project pursuant to Federal law).

(e) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing in this Act alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described in subsection (a).

Ms. MURKOWSKI. Mr. President, I am pleased we are at this point in time

when we can start debate on the Keystone XL Pipeline. We have had some good conversation on this floor while we have worked through procedural issues. I appreciate that we have been able to avoid a midnight vote, that we were able to work out an agreement. I thank my colleague and the ranking member, Senator CANTWELL, for her assistance in getting us to this point, where we, during the daylight hours, can begin debate on amendments. These amendments, I think, are particularly timely and particularly important to where we are today from an economic perspective, from an energy perspective, and from an energy security perspective.

Keystone XL fits in with that. In front of us is the first amendment to the Keystone XL Pipeline, S. 1, and it is in the nature of a committee substitute. What I will assure Members is that the substitute we have in front of us is almost a mirror image of the bill we reported from the energy committee just last week. We reported it on a bipartisan basis. We had good discussion at that point in time.

But we have in front of us that substitute amendment. When we look to the amendment itself, it is pretty simple. We are truly talking about a two-page bill, a bill that is clear in content, a bill that is very readable in terms of what it does and what it does not do. Again, it spans just over two pages—pretty wide font, pretty wide margins. One can read it in a couple of minutes—and better yet, understand it.

That is because the bill itself is very simple. What this measure does is approve the cross-border permit that is needed to construct the Keystone XL Pipeline. It does this with important provisions. It fully protects private property rights. It requires all State and local obligations be met, including those related to siting. There has been some discussion that somehow or other the Senate is engaging in routing, engaging in siting. This bill does not approve a pipeline route. We are not a planning board. Our bill only approves the pipeline's cross-border permit. It only does that because we have been waiting for 6 years for this cross-border permit.

Some have suggested this is somehow some big giveaway. There is no subsidy in this bill. It is not a giveaway. It does not evade any regulations. It does not preempt any environmental study. It will not cost taxpayers a single dollar. Again, I would encourage my colleagues to look critically at the language of this bill. What this bill does is authorize a cross-border permit.

There has been a lot of discussion about the jobs created and the environmental pros and cons on both sides. We have had good, strong debate already, just as we have moved through the procedural process of this. But what I think is important for us as a body to appreciate is the point we are at now, the point where we as Members can take this simple, straightforward bill

and offer amendments we believe would make it better or enhance it.

As we go forward, I am encouraging Members on both sides to bring their amendments forward. Let us have the give and take, the back and forth for which the Senate was once so famous. I have been asked: How are you going to handle amendments on the floor? Is it going to be a situation where the majority determines what the minority will introduce, what we will have an opportunity to debate and decide?

That is not how we are handling amendments on this bill. The majority leader has promised a full debate. He has said: It is not unlimited. We are not going to be on this for months, but we are going to give Members an opportunity to speak to the issues of the day, the issues of the day that are so important to our Nation's economy.

The Presiding Officer comes from an energy-producing State, as do I. We know the significance of energy jobs that come to our States and our local economy. We know the independence that comes when we are not reliant on others, particularly others who wish us ill, for a resource that powers our country.

We are seeing firsthand the benefits of good energy production throughout the entire country. So why would we not want to allow for a piece of beneficial infrastructure, a piece of infrastructure to cross a border from our closest friend and ally in Canada, moving a product to our refineries in the gulf coast where they are set up to handle this type of crude oil.

There has been a lot of discussion that this is just going to be a transference of oil from the north in Canada through the United States and exported to the rest of the world. But I think if we look to the facts that are laid out in the State Department's report, in their environmental assessment, we appreciate the fact that it makes no sense to use the United States just as a conduit, when our refineries, those refineries that are designed to handle the heavy crude, will be in a position to refine that crude for our benefit in this country, for those in Canada who are looking to again move their product.

What we are effectively going to be able to do is replace what we are currently receiving from Venezuela, which provides us with that heavy crude currently, which we refine in the gulf coast areas—in those refineries we will be able to replace that with oil from our friend and ally, Canada. I do not know about the Presiding Officer, but I would much rather have a relationship with Canada than Venezuela.

Again, the benefits, the merits of this legislation are very substantive. Keep in mind, this is not a case of first impression. This is not the first pipeline we have crossing the United States-Canadian border. There are 19 cross-border pipelines currently operating today. So as we work to develop not only a relationship around our energy,

I think it is important to recognize the relationship we have with our friends to the north is important as well.

One of the issues we will see come forward for discussion on the floor is the environmental aspects of the Keystone XL Pipeline and the oil sands from which they stem. We will have an opportunity to discuss the issue of exports and the significance of our energy exports, in terms of the benefits to our economy, trade perspective, balance of payments, the significance of that, and the opportunities we have in other areas related to energy, energy efficiency.

I know my friend and colleague from Ohio wishes to speak to an amendment he will propose today. But this is a long time in the making for us to not only have the chance to talk energy but the opportunity for us to vote on energy-related amendments.

I have much I wish to relay and convey in response to some of the comments that have been made by colleagues on this floor in the past couple days. We will have an opportunity to speak directly.

As was noted in the agreement, we will have this measure in front of us. We will put some amendments forward this afternoon. We will not be voting on any amendments today nor will we be voting on any amendments on Friday, but we will have an opportunity for good, concerted discussion on Friday and going into next week.

On behalf of the majority leader, I have been asked to announce that the next rollcall vote will occur on Tuesday, January 20.

AMENDMENT NO. 2

But what that allows us is an opportunity again, beginning today, beginning now, to encourage Members to come forward with their amendments and based on the agreement we have outlined—two on the Republican side today, two on the Democratic side today—get those out there, get them on the table, get them up, let's talk about them. We will have the opportunity on Friday and will do more of the same on Tuesday. Then we can actually start moving through a process that I hope is good, robust, and encouraging—encouraging, not only for the American public—but also encouraging to members of this body.

I think it will be good for us in the Senate to get back to a habit of advancing amendments, of allowing the floor managers to work together to decide a process, to lay out initiatives, to have the back and forth, to take some tough votes—it is what we do or what we should do—and to get back to what we know to be regular order.

I want that to be a terminology all Members understand instead of just some who have been around for more years than others. Being able to get back to regular process feels pretty good today. I am pleased to begin this debate under regular process.

With that, Senator PORTMAN was on the floor as we began our unanimous

consent request, but I understand we will defer to Senator MARKEY to first bring up his amendment and then turn to Senator PORTMAN for his.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 13 TO AMENDMENT NO. 2

Mr. MARKEY. I seek recognition, pursuant to the consent agreement, to call up amendment No. 13.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Massachusetts [Mr. MARKEY], for himself and Ms. BALDWIN, proposes an amendment numbered 13 to amendment No. 2.

Mr. MARKEY. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure that oil transported through the Keystone XL pipeline into the United States is used to reduce United States dependence on Middle Eastern oil)

At the end of section 2, add the following:

(f) LIMITATION.—

(1) IN GENERAL.—Subject to paragraph (2), none of the crude oil and bitumen transported into the United States by the operation of the Keystone XL pipeline under the authority provided by subsection (a), and none of the refined petroleum fuel products originating from that crude oil or bitumen, may be exported from the United States.

(2) WAIVERS AUTHORIZED.—The President may waive the limitation described in paragraph (1) if—

(A) the President determines that a waiver is in the national interest because it—

(i) will not lead to an increase in domestic consumption of crude oil or refined petroleum products obtained from countries hostile to United States' interests or with political and economic instability that compromises energy supply security;

(ii) will not lead to higher costs to refiners who purchase the crude oil than the refiners would pay for crude oil in the absence of the waiver; and

(iii) will not lead to higher gasoline costs to consumers than consumers would pay in the absence of the waiver;

(B) an exchange of crude oil or refined product provides for no net loss of crude oil or refined product consumed domestically; or

(C) a waiver is necessary under the Constitution, a law, or an international agreement.

Mr. MARKEY. If I may speak briefly on the amendment, I thank the chair of the energy committee. I thank her for her courtesy and the Senator from Ohio as well.

While we will not be having the full debate at this time on the Senate floor, we are in fact beginning with a critical issue, an issue that relates to climate change, American energy independence, the impact that legislation can have upon consumers—drivers in our country in terms of how much they are paying at the pump.

It deals with actually the mission of young men and women in our country who go overseas in order to protect tankers of oil that are brought back to our country.

So the first question that will be asked in this debate is whether the oil,

which is going to be delivered through this pipeline from Canada, is going to stay in the United States of America.

The Canadian tar sands oil is the dirtiest oil in the world.

The pipeline, similar to a straw, is going to be built through the United States down to Port Arthur, TX, a tax-free export zone. You don't have to have an MBA from business school to figure out what this 3-by-5 card looks like.

It is something that basically says, since the price of a barrel of oil on the global market is \$17 higher than what the Canadians can get for the tar sands oil—that they want to get it out of the country, which is why it is going to end in Port Arthur, TX, an export zone.

What the amendment I am going to be making on the floor of the Senate says is that if the oil is drilled for in Canada, put through a pipeline in the United States, that oil cannot be exported, that oil stays in the United States, and that the promise of energy independence in our country is in fact what this agenda is all about. Because otherwise the United States is taking all of these environmental risks, the planet is taking all of these environmental risks, but the economic benefits are not flowing to consumers, drivers in the United States who finally feel some relief at the pump—that they are not feeling—that they are being tipped upside down and having money shaken out of their pockets on a daily basis.

The oil companies have made many claims about this pipeline. They have said it was for North American energy security, but it is about exporting oil. They have said it is about reducing prices, but it is about getting the highest profits. They said it would not harm the environment but it in fact will worsen climate change and risk dangerous oil spills.

They have been trying for 6 years to get this pipeline built, even when it is clear that we do not need it. So this is the Keystone “export” pipeline—the KXL.

So this first amendment that we will be debating is one that says: No, you cannot export it. We must keep that oil in the United States. We must ensure that it is in fact something that benefits the American people. Otherwise, the Canadians are just ripping this oil, this dirty oil from their soil in Canada and putting it into a pipeline that then will be exported, which will only ensure that the planet gets hotter, that it becomes more dangerous for future generations.

Ladies and gentlemen, this is a very important debate. The planet is running a fever. There are no emergency rooms for planets. We have to engage in preventive care.

If this action takes place, and all we are doing is allowing Canadian oil to go through our country and out the other end, then we haven't done anything for the American consumer or for the planet.

I look forward to a more complete debate on this issue, and I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 3 TO AMENDMENT NO. 2

(Purpose: To promote energy efficiency)

Mr. PORTMAN. I rise and call up amendment No. 3.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Ohio [Mr. PORTMAN], for himself and Mrs. SHAHEEN, proposes an amendment numbered 3 to amendment No. 2.

Mr. PORTMAN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Monday, January 12, 2015, under “Text of Amendments.”)

Mr. PORTMAN. Mr. President, I rise to thank Senator MURKOWSKI for giving me this opportunity. She spoke earlier about the fact that we are going to talk about Keystone in an open process, going to allow amendments, which seems very normal, but in the Senate it hasn't been over the past several years.

This amendment is one that results to energy efficiency. I strongly support the underlying bill, and we will talk about it in a moment, but I also support the strategy of saying let's produce more energy, but also let's use the energy that we have more efficiently. I believe those are complementary, and I believe it is consistent with creating more jobs in this country, making our businesses more competitive, and improving the environment. So I appreciate her willingness to allow us to move forward with this amendment.

This energy efficiency amendment we are talking about is a key part of the “all of the above” energy strategy that a lot of us discuss, whether it is nuclear, renewable, oil, coal or gas, efficiency ought to be a part of it.

It is an amendment that is the result of a lot of years of work by Senator SHAHEEN, who was mentioned earlier, myself but also Senator HOEVEN, Senator AYOTTE, Senator FRANKEN, and many other Members of this body.

Our cosponsors this afternoon are Senator SHAHEEN, Senator AYOTTE, Senator BENNET, Senator COLLINS, Senator GARDNER, and Senator MANCHIN.

This is legislation that is clearly bipartisan and legislation that shouldn't be controversial. It takes part of the broader Portman-Shaheen legislation that has already passed the House of Representatives and brings it to the floor.

This is also legislation that has passed the committees in the Senate and the committees in the House—energy committees—with wide bipartisan margins. Also, it was on the floor of the House last year and passed with a vote of 375 to 76, including with the support of the Presiding Officer. I thank the Presiding Officer.

There are four provisions and they are all pretty straightforward. None of them has a mandate, none of them has a cost curve. The CBO, the Congressional Budget Office, has told us they don't score. All of them are voluntary.

The first one is an important one. It is called Tenant Star. It establishes a voluntary market-driven approach to try and align the interests of commercial business owners and their tenants. This is important because a lot of the real estate folks would like to have the ability to say this has the Good House-keeping seal of approval. It is like an Energy Star seal of approval that enables people to know it is an energy-efficient building.

This is broadly supported in part because it is voluntary. It is not a mandate, but it will help us in reducing energy consumption.

The second provision is one that is very timely. This is one that a lot of us have worked on over the years. Senator HOEVEN has talked about this. We talk sometimes in the Senate about the unintended consequences of regulations. This would be a great example.

Here we have the Department of Energy promoting a regulation that if we don't stop it now will actually make our country less energy efficient. It is unintended, perhaps, but it is something we need to deal with legislatively now.

If we don't, then we are not going to be able to help save these particular products, which are water heaters. Around the country there are hundreds of electric cooperatives that operate voluntary programs and use what we call electric resistance water heaters.

They use them to store energy at night, and then during a peak demand period they don't have to turn on these electric water heaters. So it is actually an energy efficiency effort.

It is the kind of grassroots, on-the-ground innovation we want to see more of. But this regulation that we have to stop—from the Department of Energy—establishes a new standard for water heaters that effectively undermines this program. How? Because it makes it impossible for these companies to produce these kinds of water heaters that the co-ops are using. So the legislation exempts these water heaters from business standards, allowing these co-op programs that are good for energy efficiency to continue.

People probably heard from their rural electric co-op—if they are a Member of this body—on this issue because it is important to them that it be handled and handled now. If it is not, then these companies will stop producing these water heaters and they will not be able to continue these programs.

The third provision has to do with the Federal Government. Basically it says the Federal Government ought to practice what it preaches.

The Federal Government talks a lot about energy efficiency. Yet it is probably the biggest energy user in the world and probably one of the most in-

efficient. This says simply that Federal agencies have to coordinate with the Office of Management and Budget, with the Department of Energy, and with the Environmental Protection Agency to develop an implementation strategy that includes best practices, measurements, and verifications for the maintenance, purchase, and use of energy-efficient and energy-saving information and technology.

IT has been a source of great inefficiency in the government, and this legislation simply says let's require these Federal agencies to actually clean up their act so they will be more energy efficient in the area of information technology.

Again, it is a nonpartisan approach. It is one that has been supported by both sides of the aisle.

Finally, along the same lines, the fourth provision requires that federally leased buildings without Energy Star labels benchmark and disclose their energy usage data. Again, these are not Federal buildings that have to report this information, but these are buildings that the Federal Government leases.

So in effect all of us as taxpayers should have an interest in being sure that these leased buildings also have the energy efficiency provision to avoid wasting taxpayer money.

I think these are very important provisions. These are not controversial provisions with the idea that, yes, let's produce more energy. Let's make sure we have the infrastructure to bring the energy to the consumer, but let's do it in a way where we are using more energy but also using it more efficiently.

I hope we will see the kind of strong bipartisan support on the floor we have seen in the past on these provisions as they are part of this underlying legislation.

I would like to talk for a moment about the underlying legislation. This is the Keystone XL Pipeline construction. It seems as if we have been talking about this forever. Frankly, we have. This has been going on for almost 7 years now, I believe. Think about that. This is just to get the approval of the pipeline—not to actually build it. Just to get the approval it has taken 7 years. It is time to stop talking about it and move forward on it.

The Keystone XL Pipeline has taken almost 7 years. In comparison, we built the Hoover Dam in less than 5 years. The entire Empire State Building was constructed in 1 year and 45 days. In fact, the entire transcontinental railroad was constructed by hand in 6 years. So there is no reason we shouldn't move ahead on this.

We have learned a thing or two about this Keystone XL Pipeline during this period of time we have been debating it, and everything we have learned leads us to the conclusion it just makes sense to move forward. We know we can do it safely. We know we can do it in an environmentally sound way.

We know we can create thousands of good jobs during its construction. Yet as we stand here today, with the Keystone XL Pipeline a source of debate rather than a source of jobs, we are not moving the country forward. I think we have waited long enough.

There has been debate before. I have heard it over the last couple of days and last week. Is this going to create jobs? Yes, it will. The State Department has said it will. The State Department is in the Obama administration, and they are the ones who tell us it is going to increase our economy by about \$3 billion, increase the GDP of America, and also create more than 40,000 jobs during its construction—both through the actual building of the pipeline and through the sourcing of pipeline projects to American manufacturers.

By the way, a bunch of those manufacturers are in my home State of Ohio. Ohio produces pipe. Ohio produces the kind of steel—the structural steel—that goes into the construction of the pipeline. Ohio also produces the monitors that go on this pipeline. We also produce other things, such as pumps and compressors. So this will create jobs in my home State of Ohio. I have toured these factories and talked to these workers. They are going to have the opportunity now to roll that steel, build these compressors and so on, and for them this is important too.

Some of the critics of the pipeline have attempted to undermine these numbers by claiming the jobs related to the pipeline are not permanent. I don't know what to say about that except are any construction jobs permanent, by that definition? We certainly want construction jobs. This administration—the Obama administration—talks all the time about the need for more infrastructure projects to create more jobs. This is an infrastructure project. By some measure it may be the biggest infrastructure project in America over the next couple of years if we approve this thing. It will create not just jobs but good jobs. This is the kind of work we want to have more of in this country.

This is a why a lot of labor unions, including the building trades, are excited about this, because they know it is going to be able to lower unemployment and get the people back to work who have lost their jobs.

Others have expressed environmental concerns. Let's look at the facts. Let's look at the science. With every environmental study that has been conducted, the pipeline has passed. In fact, we know the pipeline is safer and more environmentally sound than the alternative. What is the alternative? What is happening now—it is transporting this oil by truck, transporting this oil by train. As we know, and as the CRS report has said, a lot of this oil actually doesn't even come from Canada. It comes from the Bakken. The Bakken is actually in America. It is in North Dakota and in other places. So some of

that oil is now being moved by truck and train. It is better that it go by pipeline. It is more efficient, of course, and less costly, but it is also safer environmentally.

Let's debate this issue. I am happy to do that, but let's try to stick to the facts. The fact is this thing just makes sense. For those who oppose it, I would ask: Why is it so different from all the other pipelines we have constructed in this country? In all our States we have pipelines. When we build this, it won't be the first pipeline to carry oil across international boundaries, by the way. It won't be the second or the third. It will actually be the 20th—the 20th pipeline to carry energy across international boundaries. It will be the fourth one to import oil—specifically oil from Canada.

Just to give some idea of how the permitting process of XL has been, of the three other Canadian pipelines that have been approved, it took the Federal Government 15 months on one, another was 24 months, and another was 28 months. The permitting process for this one—the Keystone XL—has now dragged on for over 76 months and counting.

So look, I have heard people on the floor say: What is the rush? Why are we rushing this? I don't think we are rushing. I think this makes sense. Just as we have approved other pipelines, we go through a process, and now we should have the ability to move forward on these jobs and the energy security that it provides.

By the way, when this debate is over, we also need to think about our permitting system. To me, this is really an indictment of our entire permitting system in this country. We need to do something about it, where you simply can't get a project approved. And by the way, I am not just talking oil and gas projects. I am talking about other energy projects—solar projects. I am talking about siting windmills. I am talking about hydro projects.

I first got involved in this issue because there was a hydro project on the Ohio River, of all places, that was being held up by Federal regulations. The folks who were trying to get this through came and said: We can't believe how complicated it is to get a permit from the Federal Government. As soon as we get one permit from one agency another agency comes in. They require it be done sequentially, and it is taking us forever, and we are losing investors. Those investors are going not just across the Ohio River to another State, they are going to another country because the Federal permitting system is so bad in this country.

That is why I intend to introduce bipartisan legislation called the Federal Permitting Improvement Act. Senator McCASKILL of Missouri is my cosponsor. We are hoping to bring that to the floor very soon too because the American government shouldn't be standing in the way of good projects, particularly these energy projects that are so

important. The American Government shouldn't be standing in the way of good American jobs. That is exactly what is happening. We need to streamline the approval process. It can be done and be done in a bipartisan way.

So it comes down to this. We hear a lot about an "all of the above" energy strategy in the Senate. Everyone seems to be for it. It is a position the American people support, by the way, overwhelmingly. I have been to the floor many times to express my support for an energy policy that includes everything from nuclear to oil, natural gas, renewables, coal, and of course, increased energy efficiency, as we talked about earlier. We will need all of those if we want to continue to see energy prices fall and to continue to see our reliance on dangerous and unstable parts of the world decline.

An "all of the above" energy strategy includes the Keystone Pipeline and other projects like it. So if you want to say you support all of the above, you better support Keystone. If you don't support the pipeline, I think you have to explain to the American people why you stood in the way of 40,000 good-paying jobs, why you opposed a project that is more environmentally safe than the alternatives out there now, and you need to explain why you opposed an "all of the above" energy strategy that can keep prices low and help secure North American energy independence. That also affects our national security. For us not to be dependent on these volatile and dangerous parts of the world is good for our national security. Let's stop sending the money to the Mideast. Let us keep the money here in North America.

Let's stop the delay. Let's make construction of this pipeline a reality. The American people are watching. We have all spent time in our States over the last month. We have all heard over and over again that the American people want us to work together. They want us to cooperate where we can, particularly on issues that relate to jobs and the economy and getting things moving in this country. I think this current legislation can be a model for how the Senate can operate and a sign that we have heard the message the voters sent in November.

This final bill will be the model, as I said earlier, of an open process where people can come to the floor to debate, as I have today, and not just on the underlying legislation but on the amendments on energy efficiency. That is good. At the end of this process, it will likely contain some policies that I fully support. And by the way, the final bill will probably contain some policies I don't support, because that is what happens when you have an open process. People will be able to come out here, make their best argument, and people will vote yea or nay, depending on how they feel it affects them, their States, and their constituents. That is what is happening on the Senate floor, and that is a good thing for our coun-

try and a good thing for getting to the right policy.

When the amendment process is complete, I believe we will have produced a bill that advances this goal of implementing a true "all of the above" energy policy, while creating more jobs for the American people and protecting our environment in better ways. That is what we all want, and that is why this legislation is a win for all Americans.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. AYOTTE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PARIS UNITY RALLY

Mr. COATS. Madam President, throughout history a single picture has revealed the political reality of the moment.

Before we had photography, there were artist depictions of Caesar entering Rome, General Washington crossing the Delaware, and Napoleon crossing the Alps. When photography came, we could see the images that defined America's role in the pivotal moments of existential threats to our values, our faiths, and our way of life: Roosevelt and Churchill sitting beside Stalin in Tehran and later at Yalta, President Kennedy at the city hall in Berlin, and Ronald Reagan at the Brandenburg Gate.

The pictures that define the moment, the pictures that are seared into our minds, images that stay with us throughout our life are all powerful, and they have the common theme and the common purpose of confirming America's essential leadership role in global affairs.

In all of these examples and thousands of others, we can see the world looking on Americans with respect and with the expectation that we will be there at moments critical to the world's future—they are there not just to participate but there to lead where U.S. leadership is essential to the success of the endeavor.

Today, possibly the most powerful image that evokes most clearly a new reality is this image right here. Here, we see many of the world's leaders of major nations—some of the most significant, influential leaders—walking arm-in-arm down a Paris boulevard as a united protest against the grotesque barbarism that threatens us all. The leaders of Europe, Africa, the Middle East, and even those who in other circumstances are not united, are united arm-in-arm, marching in front of literally millions of Europeans from France and other countries.

Yet something is tragically missing. The most profound significance of this picture—which has been shown around the world and which has been seared

into our minds as a defining moment—is that America is nowhere to be seen, looking at this picture, with the world's leaders, some diametrically opposed ideologically to each other but united here. And we are told that throughout the millions of people who were there, if there was the presence of an American representative, that person was not seen.

If the world needs any further demonstration of America's decline and our growing irrelevance, it is this utter absence at this potentially defining moment of rallying the nations of the world to address this existential threat to the most basic of our values and our freedoms.

It is not just an image problem, although the image itself carries the message, it is a substance problem.

This group of world leaders and millions of others joined together in Paris last weekend to show the entire world that a threat to our principal freedoms is entirely unacceptable to us all and will be resisted by all of us, an unacceptable mortal threat to freedom of expression, freedom of conscience, freedom of religion, and freedom of the press.

My friend and former colleague Joe Lieberman wrote a piece in today's Wall Street Journal that articulately defines this threat and how we must respond. In his piece, he wrote:

In rapid order, the three attacks in France last week showed more clearly than ever that the international movement of violent Islamist extremism has declared war on Western civilization's foundational values, which are embraced by so many people throughout the world. The murders of police officers, cartoonists and Jews were attacks against the West's most central values and aspirations—the rule of law, freedom of expression and freedom of religion. This radical extremism will continue to threaten what we hold dear unless it is fought and eventually defeated.

Millions gathered not only because 16 people died so tragically, they also gathered because those who would pervert their faith in order to lure deluded young people into violent extremism must know that we will all oppose them no matter what it takes.

So how can we reconcile this vital mission with America's utter absence? No excuses are sufficient. No apologies or explanations about bureaucratic ineptitude will be enough to undo the damage caused by our absence and depicted throughout the world.

Some may say the President didn't attend because of security concerns. Writing for the Wall Street Journal, Peggy Noonan said, "Life is a security concern, you must do what's right."

Sadly, the President's absence is an accurate reflection of how this administration sees our role in the world. During the past year we have seen a long list of foreign policy disasters—the rise of the most potent and violent terrorist organization in history; the continued disintegration of Syria; American hostages beheaded in full public view; a resurgent Taliban con-

ducting more attacks in Afghanistan; and the Government of Iraq losing control of a third of the country, including cities and provinces soaked with the blood of American troops. We have seen our old enemy Al Qaeda and its affiliates metastasize throughout the Middle East and north Africa to mount threats from Sudan, Somalia, Yemen, and now even France. We have seen the Islamic State mount media campaigns that have persuaded thousands of Americans, Europeans, and others to flock to their black banners. We have seen an ill-conceived and poorly prepared Middle East peace initiative collapse under the weight of unattainable expectations.

All of these problems and many others—some colossal disasters—have been aggravated by U.S. policy failures. Those failures have come from a White House isolated in a wasteland of confusion. The Obama administration has no coherent strategy for dealing with the world other than, in a now famous paraphrase, "Don't do stupid stuff." Shrouded in this fog of indecision and failures, is it any wonder that we could not find the vision to join with the rest of the world to show purpose in Paris?

It is deeply ironic and appropriate that the events in Paris were all generated by the power of imagery—cartoons, no less. Those events have now produced this new imagery, a picture of global common action in which the United States is tragically absent.

Madam President, I yield the floor.
The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, we are awaiting the arrival of Senator FRANKEN to bring up the amendment relating to U.S.-made steel that is part of the agreement we entered into just a little bit ago that would allow for a series of amendments to be brought forward to the floor. The first was my substitute amendment to S. 1; Senator MARKEY has brought forward his amendment No. 13; Senator PORTMAN, his energy efficiency bill.

What I would like to advise Members is that these are the matters pending before the body at this point in time. We certainly welcome debate on these issues.

Obviously, energy efficiency is very key to any energy debate. The aspect of export is one also that is worthy of discussion and, I hope, good debate on both sides as we go forward.

I would encourage Members to speak not only to these issues, but if there are other issues they would like to have brought to the floor—while we won't be in a position to allow other Members to offer their amendments at this time under this agreement, there is certainly plenty of time to be talking about them.

Prior to the entry of the agreement, Senator SANDERS came to the floor and spoke about his intention to offer an amendment at a later point in time.

I again invite Members to be engaged, to be part of this open amend-

ment process we are part of. I think for some it is new and it may take a little bit of getting used to, but that is a good thing. It is a good thing because these are areas that are worthy of debate on the Senate floor. When we are talking about jobs, when we are talking about our energy security, when we are talking about the strength of our economy, it is always timely to have this debate.

I will again remind colleagues that our next opportunity to discuss these issues will be Friday morning, when we will be in session to take them up.

I look forward to more discussion from across the aisle.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 17 TO AMENDMENT NO. 2

Ms. CANTWELL. Madam President, on behalf of Senator FRANKEN, I call up his amendment No. 17.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Washington [Ms. CANTWELL] for Mr. FRANKEN, proposes an amendment numbered 17 to amendment No. 2.

Ms. CANTWELL. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the use of iron, steel, and manufactured goods produced in the United States in the construction of the Keystone XL Pipeline and facilities)

After section 2, insert the following:

SEC. ____ . USE OF UNITED STATES IRON, STEEL, AND MANUFACTURED GOODS.

(a) LIMITATION.—Subject to subsection (b), to the maximum extent consistent with the obligations of the United States under international trade agreements, none of the iron, steel, or manufactured goods used in the construction of the Keystone XL Pipeline and facilities approved by this Act may be produced outside of the United States.

(b) NONAPPLICATION.—Subsection (a) shall not apply to the extent that the President finds that—

(1) iron, steel, and the applicable manufactured goods are not produced in the United States in sufficient and reasonably available quantities with a satisfactory quality; or

(2) inclusion of iron, steel, or any manufactured good produced in the United States will increase the cost of the iron, steel, or any manufactured good used in the Pipeline and facilities by more than 25 percent.

Ms. CANTWELL. Madam President, we have made some progress with proceeding to this very important issue and Members are obviously coming to the floor to talk about their amendments and offer their viewpoints on this legislation.

I would just point out that I hope we have a chance to consider some of the

other amendments we have been talking about, the issue of whether companies in the tar sands business should be paying into the oilspill liability trust fund. We talked earlier today about how the oilspill liability trust fund which U.S. companies are required to pay into and is critical for cleanup. I want to add some documents to the RECORD of this case we had in Kalamazoo where the company may have hit its cap and where it may—for that Kalamazoo spill on tar sands—be asking the oilspill liability trust fund to actually recoup the benefits they had to pay out.

To me this is a very important issue. Here is a company where we have tar sands spilling into the Kalamazoo River and actually costing, I think, something like \$1.2 billion, and instead of this company paying into the trust fund and paying for costs on this, they basically are going to take money that U.S. companies paid into the trust fund and be recouped because of this. So I just want to get this right, and I hope we can work with our colleagues on another amendment on that process.

I ask unanimous consent to have printed in the RECORD an article that just appeared in the paper from the AP about how TransCanada is said to offer landowners a price for their land in Nebraska at which point if they don't come to an agreement by this Friday the company can use eminent domain to take the land.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Associated Press, Jan. 13, 2015]

ATTORNEY: LANDOWNERS STILL HAVE OPTIONS
IN PIPELINE DISPUTE

(By Grant Schulte)

LINCOLN, NE (AP).—Nebraska opponents of the Keystone XL oil pipeline will continue to fight the project, even though the state's highest court allowed its planned route to stand, an attorney for the group said Monday.

Omaha attorney Dave Domina said landowners on the route can challenge the project again once pipeline developer TransCanada uses eminent domain to get access to their property. Once the company begins that process, Domina said individual landowners can fight the company in court battles that could take two to three years with appeals.

In addition, Domina said the landowners could file a new legal challenge against the law itself, using landowners who live directly on the route. Or they could lobby Nebraska lawmakers to try to change the law. It's too early to know which approach they'll choose, Domina said.

"This decision has simply been punted down the road, to be answered another day," Domina said in an interview. "It's up to TransCanada to make the next move."

The Nebraska Supreme Court on Friday ruled against three landowners who sought to overturn Nebraska's 2012 pipeline-siting law, which they say violates the state constitution. Not all of the plaintiffs owned property along the route, but the group sought legal standing as Nebraska taxpayers challenging an illegal use of state money to review the project. TransCanada later reimbursed the state.

The Nebraska attorney general's office argued that, among other things, that the

landowners didn't have legal standing to bring the case.

The high court ruled 4-3 that the plaintiffs had standing, and four judges also deemed the law unconstitutional. The remaining three declined to review the constitutional arguments, arguing that the landowners lacked the legal standing. A five-judge supermajority was needed to overturn the law because it raised a constitutional question.

Pipelines are generally reviewed by the Nebraska Public Service Commission, but the siting law allowed then-Gov. Dave Heineman to approve it after a review by the state's environmental department. Heineman, a Republican, supported the pipeline, and the environmental department is a part of the governor's administration. Public Service Commission members are elected.

TransCanada spokesman Shawn Howard said offers to landowners are set to expire on Friday, at which point the company can begin eminent domain proceedings. Howard said the company will continue to discuss deals with landowners who are still negotiating in good faith. When warning letters were sent in December, the company said it had voluntary agreements from 84 percent of landowners along the route.

The \$8 billion pipeline would carry oil from Canada through Montana and South Dakota to Nebraska, where it would connect with existing pipelines to carry more than 800,000 barrels of crude oil a day to refineries along the Texas Gulf Coast.

Environmentalists and other opponents argue that any leaks could contaminate water supplies, and that the project would increase air pollution around refineries and harm wildlife. But many Republicans, oil industry members and other backers say that those fears are exaggerated and that the pipeline would create jobs and ease American dependence on oil from the Middle East. They note a U.S. State Department report raised no major environmental objections.

Ms. CANTWELL. So while I think this is very interesting that Congress is trying to expedite a process here by which the TransCanada pipeline is approved and the Nebraska Supreme Court made a decision basically on standing and had four of the seven justices say that this was unconstitutional—what the legislature did in trying to take away the public interest standard—this company is not waiting one second to say that property owners who never got the public interest standard met are going to get shortshrifed again and they are just going to go ahead. So I don't see why Congress is trying to help a special interest hurry and make a decision when they are not trying to give any landowner the benefit of a process or give landowners the ability to negotiate. They are just going to go ahead with eminent domain.

So it is a very interesting tale we are going to talk a lot more about in the ensuing days about all the special attempts that TransCanada has done to try move ahead with this pipeline without following due process.

As I noted earlier this morning I found it very interesting that at the very time the State Department was saying to TransCanada that their current proposal goes through an aquifer and really should go somewhere else, TransCanada was looking for support in Congress to go ahead and approve

the pipeline through the aquifer by saying the State Department had to approve it. Clearly, here is somebody who just wants this pipeline no matter what, no matter where, and is going to use every attempt to not follow the rules. So we hope that we will have a very healthy debate about why Congress shouldn't be entering into this kind of special interest deal on behalf of this company.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE NORTH DAKOTA STATE UNIVERSITY BISON ON WINNING THE 2014 NCAA DIVISION I FOOTBALL CHAMPIONSHIP SUBDIVISION TITLE GAME

Mr. HOEVEN. Madam President, I wish to make a number of points in regards to the Keystone XL pipeline approval bill, the legislation we are currently considering. But before I do so, I am planning to submit a resolution on behalf of the North Dakota State University Bison who won their fourth national championship on Saturday against the Illinois State Redbirds. It was a spirited and wonderful game in Frisco, Texas.

I know, Madam President, that you had a team that was in the hunt, so to speak, and played a tremendous game in New Hampshire against the Illinois State Redbirds. It is a testament to the quality of the teams in the FCS championship, the Division I playoff series. Teams such as the University of New Hampshire had a tremendous year of outstanding coaching and great student athletes.

I watched the game between the Illinois State Redbirds and the University of New Hampshire. It was a fantastic game that went right down to the wire. It just speaks to the fact that there are excellent teams in this division and tremendous athletes. A lot of teams had great seasons. So I certainly want to begin by commending all the teams that were in the playoffs, including our opponent in the championship game, the Illinois State Redbirds. They did a great job.

But North Dakota State University, the coaches, everybody on staff, the leadership of the North Dakota State University and these student athletes had just a fantastic year. So I want to congratulate them. Four years in a row is unprecedented. Nobody has won the national championship in Division I football in their division in the playoffs in history. So this was certainly a great achievement.

I am planning to submit the following resolution to honor the North Dakota State Bison. It says:

Whereas, the North Dakota State University (referred to in this preamble as

"NDSU") Bison won the 2014 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") Division I Football Championship Subdivision title game in Frisco, Texas, on January 10, 2015, in a hard fought victory over the Illinois State Redbirds by a score of 29 to 27;

Whereas, NDSU has won 12 NCAA football championships;

Whereas, NDSU has now won four consecutive NCAA Football Championships since 2011, an unprecedented achievement in Football Championship Subdivision history;

Whereas, the NDSU Bison have displayed tremendous resilience and skill over the past four seasons, with 58 wins to only three losses, including a streak of 33 consecutive winning games;

Whereas, Coach Chris Klieman and his staff, through their dedication and talent, have continued the excellence of the Bison football program;

Whereas, the leadership of President Dean Bresciani and Athletic Director Matt Larsen has helped bring both academic and athletic excellence to NDSU;

Whereas, an estimated 17,000 Bison fans attended the Championship game—

Including myself—a fantastic game—reflecting the tremendous spirit and dedication of the Bison Nation that has helped propel the success of the team; and

Whereas, the 2014 NCAA Division I Football Championship Subdivision title was a victory not only for the NDSU football team, but also for the entire State of North Dakota:

Now, therefore, be it

Resolved, That the Senate—

(1), congratulates the North Dakota State University football team as the champion of the 2014 National Collegiate Athletic Association Division I Football Championship Subdivision title;

(2), commends the North Dakota State University players, coaches, and staff for their hard work and dedication; and

(3), recognizes the students, alumni, and loyal fans for supporting the Bison on the successful quest of the team to capture another Division I trophy for North Dakota State University.

I will be entering that resolution into the RECORD to honor and recognize the team in a program that has done just an incredible job this year. I know how hard those student athletes worked. It is a privilege to honor them with this resolution and commend them on their outstanding achievement this year winning their fourth consecutive national championship.

Thank you, Madam President.

Now I would like to shift to the continued discussion of the Keystone XL Pipeline approval legislation that is currently pending on the floor. I am pleased to say that we have reached agreement now to proceed to the bill. In fact, we will be voting on amendments—not this week. But we can at least tee up amendments this week, and we will be starting votes on these amendments beginning next week.

That has been the idea all along—first, to advance to this bill; it is important energy infrastructure legislation—but also to have an open process to return to what we have referred to as regular order on the Senate floor in an effort to work truly in a more bipartisan way and to get the work of the Senate done for the American people.

That is the idea with this energy legislation—to make sure we are having the debate so we give everybody the opportunity to come forward and to present their amendments. We will debate them. They can then get a vote. For the amendments that can command 60 votes—it takes a bipartisan vote to pass anything because neither party has 60 votes—it requires bipartisanship. Any amendments that can garner 60 votes will be added to the legislation, and I hope that fosters the best legislation possible and enables us to get our work done on behalf of the American people—not only on this bill but on other important legislation to help move our country forward as well.

There are a number of arguments that have been made this afternoon by some of the critics of the bill, and while greatly respecting their right to come forward and present their opposition to the legislation and any criticisms they feel they want to present, I also want to take the opportunity to rebut a number of those. Of course, that is the whole focus and effort here in terms of the debate—to have this debate and hopefully convince people that what we have is good legislation. If we can make it better with amendments, great, but at the end of the day, we pass this legislation and get this project approved on behalf of the American people.

It is about energy, it is about jobs, it is about economic growth, and it is about national security. It is a great place to start in this new Congress, where we are focused like a laser on growing our economy and creating jobs for the hard-working taxpayers and people of our country, for the middle class, for the folks out there working every day. And for those not working and looking for a job, let's find ways to make sure we get this economy going and that we get jobs for them. This is a great example. This is the largest shovel-ready project—at almost \$8 billion—that we have, and it is ready to go. It doesn't cost one single penny of government money. It is privately financed, and it is all about creating the kind of business climate and powering the kind of investment that will help grow our economy.

One of the discussion points I have been hearing is this whole issue of, well, this somehow is just for Canada and not the United States or that we are doing this for Canada. I will start with the premise that our closest friend and ally in the world is Canada, so the idea of working with Canada makes a lot of sense to me. They are our largest trading partner. We work with them all the time. We have a unique and wonderful relationship that very few countries have.

So to start with this criticism that this is just for Canada and not for the United States, I am thinking: Yes, and it is a bad idea to work with your friends, why? It seems to me that that is a good selling point. If this is good for Canada, then great. I hope we are

doing good things for Canada, and I hope they are doing good things for us. That is how friends and allies work together. The whole concept that somehow this is a bad idea is lost on me. To me it seems as though it is a positive when we can work together with Canada.

The fact is it is not just good for Canada—it is good for Canada, but it is really good for the United States too, and that is the whole point. In that line of argument that it is somehow good for Canada and not good for the United States—the critics say it is good for Canada because they produce oil up here in Alberta, and they are going to move that oil down to our ports and they are going to export it. Well, that is not the case.

Is it possible that some oil could be exported? Yes. But the reality is a lot of this oil is coming to our country and will be used in our country, and even more than that, it is not just Canadian oil. The argument that this is somehow just Canadian oil and it is going to be exported is wrong. It is wrong on both counts. I wish to take a minute to rebut that because that argument has been brought up a number of times.

As a matter of fact, I believe it is the focus of one of the first amendments that has been offered by the good Senator from Massachusetts. He wants to include a provision that says none of the oil can be exported because it is all Canadian oil and it is all going to be exported. Well, on both counts, that is wrong. Oil from North Dakota and Montana, out of the Bakken formation—our State oil in North Dakota produces 1.2 million barrels of oil a day. We are second only to the State of Texas. But because we don't have enough pipelines, we have to move 700,000 barrels a day on rail.

We are trying to move agricultural goods. We are the leader of 14 different major agriculture commodities. We have all kinds of other products that we produce, as do the States in our region, which includes Minnesota, South Dakota, and Montana. But we have tremendous congestion on our rails because we are putting more and more oil on rail. We have 700,000 barrels a day going out on rail and growing as we continue to grow our production in this part of the country. So we need more pipelines.

What you see on this diagram is the original Keystone Pipeline that was constructed and built when I was Governor of North Dakota, and this yellow shows the sister pipeline we are trying to build.

As you can see, this goes right through our State, and the new pipeline goes right next to our State. The whole point is we want to put 100,000 barrels a day—at least for starters—of our light sweet Bakkan crude in this pipeline.

It is not just moving Canadian oil, it is moving domestic oil as well. It is moving U.S. oil. When you hear that it is just going to move Canadian oil,

that is already wrong. How about we stick to the facts? How about we make sure we foster real understanding? How about we tell people what is really going on here? It is not just Canadian oil, it is Canadian and it is U.S. oil.

The whole point is this is the kind of infrastructure that helps us achieve North American energy security. What do I mean by that? I mean by the United States working with Canada, we can produce more energy than we consume, and that is energy security. That means we don't have to depend on importing it from OPEC, that means we don't have to depend on importing it from Venezuela. When push comes to shove, we produce more oil and energy than we consume. That is a national security issue.

When you drive up to the pump today to fill up your car, take a look and check out the price at the pump. It is less than \$2. It is about half of what it was maybe a year ago, right? That equates to \$100 billion to \$125 billion in savings for American consumers. Why is that happening? Is it that OPEC decided: Hey, let's give America a Christmas present? Is it because Vladimir Putin decided: Hey, let's get some energy over to America? Is it because Venezuela said: Hey, let's drop the price at the pump in America? Why is that happening? The reason it is happening is because we are producing so much more energy in our country in places such as North Dakota and Texas and the Bakkan and in the Eagle Ford. We are producing more natural gas in places such as the Marcellus and Utica, and the shale across our country, and because we are getting more oil from Canada because we have more supply, that is bringing the price down. More supply puts downward pressure on prices.

Every consumer is benefiting at the pump. A 60-cent drop in the price of gasoline translates from a \$100 billion to \$125 billion tax cut for the people of our great country, for the small businesses, and for all the industry sectors that rely on energy, and that is most of them, right? That is the benefit we are creating by working together with Canada to produce more energy. It truly is more energy, lower prices for our energy, making us more competitive in a global economy, it is jobs for our people, economic growth, and it is a national security issue. It truly is a national security issue.

Back to the point it is all going to be exported. First, it is not just Canadian oil. It is Canadian and U.S. oil, and I have gone through that.

On the issue that it will be exported—they say, look, the pipeline goes from Hardisty in Alberta all the way down to these ports—Port Arthur. So that must mean it is all going to be exported. No. It is going from where it was produced to where it is refined and consumed. It comes from Hardisty, down to Steele City, and from there it can go to Patoka, IL. Why? Because there are refineries there and pipeline

networks where it can go into the eastern part of the United States.

It also goes to Cushing, OK—a huge pipeline network that goes all over the country, and it is based out of Cushing, OK, so it can go almost anywhere.

The idea that building a pipeline is somehow an unusual or difficult thing to do—well, let's take a look at all the pipelines we have moving oil and gas around this country. The whole point is when you bring that pipeline through, you can interface with all of these networks so you can move it all over the country.

For somebody to look at this and say: Oh, gee, look, because it goes from Hardisty down to here, it will all be exported. Come on, let's tell people what is really going on. There is the pipeline. It can go through many different routes and across the country. Don't just take my word for it because I am an advocate for the pipeline. People say: Well, he is pushing for the pipeline, and that is what he says. Fine. Let's go to what the State Department and the Department of Energy say. Let's go to the Obama administration's State Department and the Department of Energy and see what they say.

Here in January of 2014, the State Department determined in its final environmental impact statement—

[The export of the oil] appears unlikely to be economically justified for any significant durable trade given transport costs and market conditions.

That was in the final environmental impact statement, section 1.4.6.2. I will repeat that statement.

[The export of oil] appears unlikely to be economically justified for any significant durable trade given transport costs and market conditions.

So there we have the State Department and the environmental impact statement saying they are going to use the oil in the United States.

How about the Department of Energy? In its report, the Department of Energy determined that it does not make economic sense to ship the oil to China. Furthermore, any export would need to obtain a Department of Commerce license before it is exported. I am not saying that none of it will be exported, I am saying that according to the State Department and the Department of Energy, it will be used in this country, and before it could be exported, you would have to have the Secretary of Commerce say it is OK for some of that oil to be exported. The Obama administration would have to approve exporting some of that crude before it could be exported.

Furthermore, refiners that have contracts with TransCanada, which is Valero, have publicly confirmed that the oil that will be shipped through the Keystone XL Pipeline will be used for U.S. domestic needs. The United States retains 99 percent of all crude within the country and uses 97 percent of the gasoline refined in the country. A large majority—over 90 percent—of transportation fuel refined in the United States is for use in the United States.

Look, these are global markets. I am not saying that there is none that would be exported, but my point is we are going to use this oil in the United States, and if we don't build this pipeline, then one of two things will happen—again, according to the environmental impact statement that was done by the Obama administration.

If you can't build a pipeline, then it is going to have to be railed into this country, the same way I got done telling you that we rail 700,000 barrels a day out of my State of North Dakota. We will have to rail more of the domestic crude that I mentioned out of here, continuing the congestion on the rails, and we will have 1,400 railcars a day moving that oil because you can't move it on the pipeline. All of those locomotives produce emissions, right? We will either have to have 1,400 cars a day railing it or you are not going to build the pipeline and Canada is going to build pipelines to the west coast of Canada, and then they will load it on tankers and take it to China, thereby producing more greenhouse gas emissions, and refining the oil in Chinese refineries with higher greenhouse gas emissions.

And, by the way, since we are not getting that oil, we will have to bring more in from OPEC for us, right?

Under this scenario where they build the pipeline to the west coast and send it to China, how much of it will come to us then? Then it is all exported, isn't it?

This argument that some of it might get exported, then the converse of that—or the result is to say, we don't want the pipeline because some of it might get exported. So, in essence, we blocked it from coming here, and so then it will all be exported and it all goes to China. Wow. That makes sense? Let's see, because some of it might get exported, then let's make sure we don't have the pipeline so make sure it all gets exported, but we don't want it exported.

What am I missing here? Where is the common sense? When push comes to shove and we are not in a situation like we are right now where prices are low, when prices start going back up based on supply and demand and all of those things, or when there is conflict in the world that disrupts supplies, would we rather have control of that supply of oil from Canada or would we rather make sure it all goes to China?

When push comes to shove and we need the energy, when prices are high, or when there is volatility or conflict in the world, do we want to make sure that all of those resources are going to China and then we can go hat in hand and ask them for it, or would we rather have control of it? That is why I wanted to take a few minutes to rebut the argument that, oh, gee, it is all going to be exported rather than a more commonsense view of, well, gee, some might be exported because it is a global economy, but if it is, they have to get the Obama administration's approval to do it.

If you don't build the pipeline, you are either going to have it all come by railcar or you are not going to have any of it, and 100 percent of it will be exported because we would force all of it to go to China. Under any of those scenarios, you are still producing the energy up there, aren't you?

I will shift to the environmental argument. I will go back to this chart. There is another argument I wish to rebut for a minute. The argument is, oh, gee, all of this might be exported so we don't want the pipeline because we are trying to prevent the oil sands from being produced because of the environmental aspect of greenhouse gas.

As I just pointed out, even without the pipeline, the oil is still going to be produced. Again, this is not me saying that. Go back to the environmental impact statement. Go back to the science. Go back to the report done not once, not twice, not three times, not four times, but five times by the Department of State and their environmental impact statements—three draft statements, two final environmental impact statements, five different studies. What they say is the oil is still going to be produced so if we don't build the pipeline, our emissions are going to be higher from greenhouse gases than if we build the pipeline. Why is that? I went through some of that already. No. 1, we will have it all moved through railcars, which produce more greenhouse gases than a pipeline—1,400 rail cars a day. It will be shipped to China, which will refine it in refineries that have higher emissions than ours. And we are going to have to haul it in from other places such as Venezuela. So we have greenhouse gas emissions from the ships as well. So the reality is—and the environmental impact statements show it—that we have lower greenhouse gas emissions with the pipeline than we would without it.

As we have talked about on the floor many times, everybody is entitled to their own opinions, but they are not entitled to their own facts. Those are the facts as laid out very clearly, as I say, in not one or two environmental impact statements but in three draft environmental impact statements and two final environmental impact statements.

The other point I wish to make on the environmental aspect is that we produce oil in California and we import oil from Venezuela that has greenhouse gas emissions that are as high or higher than oil produced in the Canadian oil sands.

Another point I wish to make is that Canada is working to reduce both the greenhouse gas emissions and the environmental footprint of their production in the oil sands. Since 1990, on a per barrel basis, in Alberta, Canada, the producers of oil from the oil sands have reduced the greenhouse gas emissions by 28 percent—almost a third. So that is a 28-percent reduction in greenhouse gas emissions in oil sands oil from 1990 to the present on a per barrel

basis. So they have reduced it by almost a third, and they are continuing to find ways through better drilling techniques, through cogeneration, and through other efforts to improve the environmental stewardship of what they are doing there. That is the way it works. Rather than blocking investment in needed infrastructure, rather than blocking investment in new technologies, we need to encourage that investment because when we encourage that investment in our country and work with Canada, we produce more energy more cost-effectively with better environmental stewardship. When we block it, we don't get that technology, we don't get the energy, and we don't get the improvements in environmental stewardship.

That is the way we should be approaching this. We should be encouraging the investment.

As I said before, not one penny of government money is expended on the pipeline. We are simply allowing a project to go forward. Private companies invested almost \$8 billion in the largest shovel-ready project we have after the project has been held up by the Federal Government for more than 6 years—held up after every single State—all six States—every single one of them has approved it. But here we are 6 years later and the Federal Government is saying to those States that even though every single one of those States on the route has approved it, even though they want it, even though all the States will realize hundreds of millions of dollars in cash revenues and benefits not only from construction but from property taxes and other sources of revenue in building the project, and even though it won't cost the government one single penny, the Federal Government said no. Even though we have studied it for 6 years, that is not good enough. Even though in poll after poll 65 percent of the American people want it built, even though Americans want energy security here at home and in Canada, even though a bipartisan majority in the House and in this Senate support it, the President says: No, that is not good enough somehow. We would rather keep importing oil from OPEC.

That has to be music to OPEC's ears. Oh, good, the Americans aren't going to get serious and work with Canada and make sure they are energy secure. They are going to keep getting oil from OPEC.

That has to be music to China's ears. They want it. They are trying to buy these oil resources in Canada. They are not only trying to buy the oil. They are trying to buy the resources in Canada. But last I checked, we work for the American people, and the American people want energy security.

So we have an absolute obligation to make sure that as we are talking about this project, we are talking about the facts. We are not talking about our opinions. I know we are striving for clarity and an understanding of what is really going on.

When it comes to the environmental aspects and when it comes to whether the energy is going to be exported or used here, when it comes to the economic impact, when it comes to the job creation, and to all of these different issues, let's debate them. If somebody has an amendment we can add, let's debate that, too. It needs to get 60 votes. But let's make sure we are fostering understanding of what is really going on here so we talk about climate change and that type of issue that is relative to this project. Let's make sure we are clear. Let's make sure we are telling the people that this project will have no significant environmental impact, according to the U.S. State Department—the Obama administration's State Department. According to the Obama U.S. State Department—the Obama administration—according to their environmental impact statements, including three draft statements and two final statements done over more than 6 years: no significant environmental impact. Then when we talk about greenhouse gas emissions and the oil that comes from the oil sands, let's be clear that this is not just Canadian oil. It is also domestic oil from our country, from States such as North Dakota and Montana. Let's also talk about how the investment in new technologies is reducing the environmental footprint and reducing the greenhouse gas for oil sands production. There has been a reduction of 28 percent in greenhouse gas emissions since 1990 in the oil sands because of their investment in new technologies, in better drilling techniques, as well as their efforts going forward.

I do believe we are going to have officials from Alberta and from Canada coming during the next weeks to talk about what else they are going to do to make additional improvements in terms of environmental stewardship and the efforts they are undertaking to reduce further the environmental footprint and the greenhouse gas impact of the energy they are producing.

So with that, I wish to close. This really is an opportunity to work with our good friend Canada on a project of great mutual benefit, and that is energy security for North America and energy security for our country as well as for Canada. I think this is a project Americans very much want.

Again, I urge my colleagues to come forward to engage in this debate and, at the end of the day, let's get this done for the American people.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Louisiana.

Mr. CASSIDY. Mr. President, this is my first speech to the Senate.

It is interesting because as a child I would read about how the Senate was a great deliberative body. I would read of the debates in which issues were discussed that changed the course of our country's history. The key issue here is that it is a deliberative body.

I was in the Senate energy committee the other day and one of the opponents of this Keystone bill said we need to be guided by science. I like that thought. We are not to be guided by our prejudice. We are not to be guided by what we want to be the case. We are to be guided by the facts, because just as when I was a kid and I would read about how this great deliberative body would decide issues that would then decide our country's future, this Keystone bill decides the future for many issues.

With that said, let me also say that I just came over from the House of Representatives and one of the nice things I had the privilege to do was to enter a Keystone bill quite similar to this one, which passed. In the course of that being introduced, debated, passed, et cetera, I heard the arguments of those who were opposed to the Keystone bill, and I have been able to think about them.

I am pleased to say I think there actually is common ground. If the American people want the Senate to work together to come up with solutions on a bipartisan basis, and if we are to be guided by science and the facts and not by our prejudice, and if what we deliberate will help determine the future of our country and the many families in our country, I am pleased to say that we have common ground.

The opposition is concerned about climate change, increased carbon emissions, the amount of oil that might be spilled, whether this encourages the use of fossil fuels, and are the jobs being created worth being created? We can address these factually, not by prejudice but by using, actually, President Obama's own State Department information. With that kind of source—it is President Obama's State Department providing the answer to these questions. So let's go through them.

First, the President's own State Department says that building the pipeline will decrease carbon emissions, there will be less oil spilled. By the way, it will not only create jobs, but it will also save workers' lives. We are deliberating a bill here which, according to President Obama's State Department, will save lives. That is truly changing the future of somebody.

In detail, on page 34 of President Obama's State Department report, it says that the pipeline would have no significant environmental impact. It will actually reduce greenhouse gas emissions by 28 to 42 percent relative to not building the pipeline at all.

President Obama's own State Department also acknowledges that these oil sands are going to be developed whether we build the pipeline or not. If they are not piped to the gulf coast of Louisiana and Texas to be processed, they will be sent to overseas markets such as China, creating Chinese jobs instead of American jobs.

I think it is also safe to say—we read about how in China people can't see the

blue sky. Their environmental standards are far more lax than ours. If it goes to the gulf coast, I can tell my colleagues I just came from Louisiana yesterday and I saw blue skies.

With all of our environmental standards, this will be processed in such a way which is most environmentally friendly. If it goes to China, there will be pollutants put out in the air which the jet stream will blow over the United States. If we are to be guided by science and not by prejudice, the science would say we should build the pipeline to allow the oil sands to be processed in the United States.

I heard one person say that he would be for the pipeline if he was sure the oil would not be exported. I don't quite know how to respond to that because if we don't build the pipeline it will absolutely be exported. It will be exported to China, and then quite likely we will buy the refined products that the Chinese then produce. On the other hand, again referencing President Obama's State Department, they have said that if we pipe that oil to the gulf coast, our gulf coast refineries are uniquely equipped to process that oil in an environmentally safe way, and so it is unlikely that it will be exported. I will add to that, according to the World Trade Organization guidelines, if we accept an import from another country, we cannot not export it should there be higher value.

But I return to what President Obama's State Department said, which is that the gulf coast refineries' unique ability to refine this in an environmentally sensitive way means that despite World Trade Organization restrictions, it is unlikely that it will be exported.

There are other benefits as well. It is clear that it will diversify our energy security. Instead of buying our oil from the Middle East or from countries like Venezuela who don't care for us—in fact, use the money we pay them in some cases to finance terrorism—it will come from a trusted neighbor who will spend that money that we pay Canada for this commodity back into the North American economy creating jobs indirectly in the United States that otherwise would not be, which leads us to the question, are these jobs worth having? In a word, the answer is absolutely. Now, we all know that creating better jobs for American families is what should be the Congress's priority.

For 6 years we have been talking about building the Keystone XL Pipeline and we have, if you will, postponed the creation of these jobs.

Let's just look at it. Refineries in my State of Louisiana and along the gulf coast would benefit because it would be roughly 100,000 barrels a day of crude oil transported to us. In Louisiana up to 12 percent of that oil would end up in our refineries, more than \$1 billion in revenue to our economy. It would create over 40,000 construction jobs over a 1-to-2 year period.

Some will oppose this and say these jobs only last for a week or two. I was outside the energy committee hearing room and there were a couple of fellows from trade unions who stopped me. They said, We need these jobs.

I said, what about the argument of the other side that the jobs will only last 2 weeks?

Those are the nature of our jobs. If you bring a master welder in, he or she will do their job for 2 weeks and then move on to another. But for our union members to get their union benefits, they have to work a certain number of hours per quarter or per month—I forget the unit of time—but this will allow them to meet that minimum requirement in order to continue to receive their union benefits.

I can tell you the crafts unions think that these jobs are worth having. These are well-paying jobs with good benefits. They are not the service sector in which hours might have been reduced from 40 to 30 hours a week. These are great jobs and great benefits.

The American people want Washington to work together. As I mentioned earlier, I introduced and passed Keystone legislation in the House of Representatives. Keystone has become a symbol for North American energy independence. Approving this pipeline is not the final step in this independence but it is the next step. It is a good step.

The case for approving this pipeline and other energy infrastructure projects is clear. I encourage my colleagues to join in approving the Keystone XL Pipeline and putting this debate to rest because I truly believe we have common ground, if we are to be guided by the science and the facts and not by prejudice. We know from President Obama's State Department that it reduces carbon emission, it will decrease the amount of oil spilled, it has minimal effect upon the environment, it will save the lives of the workers while strengthening our national security and enhancing our energy independence and creating 40,000 American jobs. That is why more than 60 percent of Americans support this bill. It is a jobs bill, a national security bill, and it is a bill which should be passed.

Thank you, Mr. President. I yield back my time.

THE PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, might I say to the distinguished Senator from Louisiana, he indicated this was his maiden speech on the floor of the Senate. If that is so, I urge him to make additional speeches. I don't think I ever heard a more concise summary with regard to the pipeline issue than he just gave. We can certainly see why the people of Louisiana sent him here. It was perfect, it was cogent, and it was short. It was interesting. He had a bill very similar to this and Senator CASSIDY passed it in the House and he is now in the Senate. We hope that with enough debate we can have truly

a bipartisan effort with comity. This is a new beginning. We are so happy to have the Senator here. I thank him for his remarks.

Mr. CASSIDY. I thank the Senator from Kansas.

(The remarks of Mr. ROBERTS pertaining to the introduction of S. 168 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ROBERTS. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, we are getting close to a time when we are going to be able to see a reality here that we have been talking about—the Keystone Pipeline—for a long period of time now. When I go back to Oklahoma, people say: If you have something that no one is against who does not have a particular institutional reason to be against it—everyone is for it. When you see the jobs—no single thing we have dealt with in the last 3 or 4 years that I can recall has talked about 42,000 new jobs that otherwise are not going to be there, good-paying jobs.

I admit that I am biased a little bit because being from Oklahoma—Cushing, OK, is right in the center of the State. It is the hub of all of the pipelines going through America. But I see that there is really no logical reason—I heard someone on the floor just a few minutes ago saying: All those dirty oil sands up in Alberta are going to be—there is a great environmental risk from that. Yet they know full well that if for some reason the people who are opposed to fossil fuel altogether—such as President Obama—are successful, they are still going to produce that stuff up there.

China is chomping at the bit right now because China has a great need for the very ingredients in the pipeline that we do here in this country. They already have talked about transportation to the western part of Canada to get it to China. So it is going to happen. In fact, you could argue, if you are concerned about some of the environmental problems, if they do exist, they would be greater if China did it than if we did it. For example, China does not have any emission controls on all of the stuff that we are talking about the way we do in this country.

I think there are some things that are factual. I think everyone is aware of it. One is that President Obama has had a constant war on fossil fuels since the time before he was even President of the United States. When we look at what he has done and how he has committed—and we have heard all of those quotes from when he was talking to the far-left environmental groups, the Tom

Steyers and others like him who have put in the money to fight fossil fuels. He is one who is solidly opposed and doing everything in his power to keep us from finishing the pipeline.

Having said that—I will put the chart up on what happened just a year ago in my State of Oklahoma. The only visit the President has made to my State of Oklahoma was about a year ago—2 years ago. He came in and was—in the background there, that is a picture of him in Cushing, OK, and those are the barrels—this is what is taking place right now in Cushing.

He was talking about—his quote there, as you can read:

I am directing my administration to make this project a priority—

He was talking about the Keystone Pipeline—

to go ahead and to get it done.

Well, he made that statement and he came down to hold that meeting in Cushing, OK, to try to make them believe he was actually for a pipeline. He went on to say that he was going to make sure that he was not going to do anything to keep the pipeline from going on further south.

Now, let's get the picture here. You have Cushing, OK, which is right in the middle of the United States, and the pipeline will continue to go south to the Texas coast. Well, he said he was not going to do anything to stop that. There is a good reason for this; that is, he cannot. He does not have any jurisdiction. That did not cross an international boundary. The borders—the international border that it has crossed is in Canada. So that is the area where he is still to this day doing all he can to keep that from being a reality. The southern leg could be finished and he cannot do anything about that.

I mentioned Tom Steyer. I want to put up that chart so people know—in case they have not been introduced. He is probably a very fine person. He has a strong commitment to try to stop fossil fuels. He is the one who made the statement back before the November elections that he was going to raise \$100 million—put in \$50 million of his own money and raise \$50 million in addition to that—and put it in eight campaigns—I think we know probably which campaigns they were—to see whether he could resurrect the issue of global warming and whether he could stop the pipeline.

Well, all that happened back then. I think it is important that people understand that he was not able to—he was willing to put his millions of dollars in, but he could not raise the 50. So instead of that, he put \$70 million of his money in the race. This is not me talking; this is all—he is very proud of it. Frankly, I appreciate the fact that he is not trying to hide what he is doing. I know he has some political interests. I know he has a commitment to try to stop the pipeline. I am not sure what that is based on other than just the people to whom he caters.

But nonetheless he has a great deal of influence with this administration. It was reported a couple of weeks ago that he had visited the Obama White House 14 times—that is as of that time—which led a member of the watchdog group Public Citizen to say, "Tom Steyer has not just got the ear of the President, but he clearly has the President's attention." Again, that is this watchdog committee making that statement.

So we are looking at it now. We know that the White House meetings were often with President Obama's counselor and chief environmental advisor, John Podesta. We remember John Podesta from the Clinton administration. He has been a lobbyist now for quite some time. He is very actively involved in this issue. Reports have also surfaced that Steyer and Podesta met with billionaire liberal activist George Soros just days after Steyer made his commitment.

Anyway, that is behind us now. That affected the election, there is no question about that; however, they still lost. If I am guessing right on the races he was involved in, there is not one of those who won. Republicans took over 10 seats. That was quite a good year. So maybe he wasted several million dollars. But when we looked at it and if you think about what he has done to fossil fuels, that has been his war.

Twice today already I have heard people on the floor saying: Well, look at the success the oil industry has had under the Obama administration. Well, I have to suggest that it has been in spite of the Obama administration. The proof is very easy. The revolution that is going on right now within the oil industry is one that has been very successful. On private land and on State land, the amount of production since Obama has been in office has actually increased by 61 percent. That is incredible.

They say: Well, you must be really pro oil and gas because of that.

In reality, all of that, 100 percent of that 61-percent increase has been on State and private land. On public land, the Federal land that he has control over, there has not been an increase of 61 percent or even 6 percent. As a matter of fact, there has been a reduction of 6 percent.

So that is going on and it is all a part of this war that is taking place right now. I am very anxious to see how these votes turn out. I know that people, when they realize the number of jobs that are there, I get very excited about it, and I can't help but think we are going to be successful.

I wish to mention though—I wasn't going to—a person whom I consider to be a very good friend is on the floor, and we have philosophically disagreed with each other about as much as any two people can; that is, the Senator from Vermont.

He is sincere. He believes what he says. Yet some of the things he says I believe are wrong, but he believes

them. I don't want to question whether he is telling what he believes is the truth—and others too.

Another good friend of mine is the Senator from California, Mrs. BOXER. Frankly, I will miss her in the Senate. I understand she has announced her retirement.

But nonetheless, on the issue they are talking about on global warming, I listen and I think: Where do they come up with this stuff?

Because we know for a fact that many of the things that they talk about are not true. We keep hearing that 97 percent of the scientists are saying they believe CO₂ is the cause of the catastrophic climate change, the world is coming to an end, and we are all going to die.

This goes back to about 2002 when this became an issue. I will remember this for a long time because that was when the first bills were introduced. At that time everybody thought global warming was true. They were all going to try to do what they could to stop it.

Frankly, at the very first I thought it must be true—that is what everybody said—until they did a study at the Wharton School. Some of their scientists, along with MIT, Charles Rivers and Associates, and others said what the cost would be. Because everybody was talking about the world coming to an end and they asked: But what is cost going to be?

They all agreed on a range, and that range has not been refuted by anyone. The range is between \$300 billion and \$400 billion a year. I immediately went back to see. Whenever I hear a big number, I go back to Oklahoma and I count the number of people, families who file a Federal income tax return and then I do my math.

That would cost the average person and family in Oklahoma \$3,000. So we think: All right. Are we sure we are going to get something for the \$3,000?

I will share with you—because a lot of people have forgotten this—that Lisa Jackson was the first Administrator of the EPA who was appointed by President Obama. I asked her on the record, live on TV, in our committee, I said: Now let's assume we passed some of this legislation that puts in cap and trade or do it even by regulation. Is this going to stop CO₂ emissions or lower CO₂ emissions worldwide?

She said: No.

These are her words, not mine. She said: The reason is the problem isn't here in the United States, the problem is in China, it is in India, it is in Mexico, and it is in other places.

So in the event they were able to do that, then this would not lower it. In fact, we could use the same argument and say if we passed a cap and trade and did something—as they are talking about doing and we have heard on the floor today—then it would have the effect of not reducing but increasing CO₂ emissions, and this is why.

As we chase our manufacturing base overseas where they have to somehow

find someplace where they can generate electricity, it will be in countries such as China and India where they don't have any of the restrictions in emissions.

So even if someone is a believer that the world is coming to an end, that global warming is going to kill everybody and it is all due to man-made gas, if they truly believe that still, even in spite of that, it is not going to reduce worldwide emissions. I guess that is what they want to do, so we hear about the consensus.

I remember at that time I made a speech on this floor questioning the science. I said: I assume there are scientists out there who are not a part of the IPCC—that is the Intergovernmental Panel on Climate Change—and that those scientists know better. They know what the reality is.

I started getting phone calls. I got phone calls from scientists. On this chart are recognized scientists. There are 58.

Richard Lindzen, I see his picture. He is a scientist at MIT. I think we could argue he would be in contention with the very best informed scientists.

Richard Lindzen said:

Controlling Carbon is a bureaucrat's dream. If you control carbon, you control life.

Is that real, these people, or what? I remember how upset he was with Al Gore. Richard Lindzen made the statement again—this is him, not me, Richard Lindzen of MIT:

To treat all change as something to fear is bad enough. To do so in order to exploit that fear is much worse.

Now we have so many things that have happened. Just the other day—it wasn't long ago, I don't have the exact date—one of the universities did a survey of all the weathercasters, and they came back that 63 percent of weathercasters believe any global warming that is occurring is the result of natural variation and not human activities.

To say "97 percent of scientists" is just not true, but if you want to believe it badly enough you will. So we have a lot of information.

Nature journal, which is a well-respected journal, in their 2013 paper said that "there is considerable uncertainty as to whether [increases in extreme climate variability] is occurring.

Munich Reinsurance Company said: "Global weather related disaster losses have declined by 25% as a proportion of GDP."

We have all these statements.

The IPCC, they are the ones that are always being quoted, and it is a branch of the United Nations. That is where all this started and certainly it would enure to their benefit to have people believe that we have to look at some international organization such as the United Nations to protect us from all these droughts and all these things that they say are going to happen.

We had another little thing happen recently. I only mention this because

nobody has yet on the floor. I think everyone used to believe that everyone was already aware of it, but remember Climategate?

Climategate was when they were having one of the big United Nations parties. It was going to be in Copenhagen. I remember a lot of our people went over there to tell the 191 countries that were participating that the United States was going to pass cap and trade, they were going to do all of these things.

I went over at the very end of it, made my little talk, and assured them that in spite of the fact that President Obama had been there, Secretary Clinton at the time had been there and now-Secretary Kerry and all the rest of them—to say we are not going to be doing it in the United States of America. If anybody believes what they said, that we are going to pass cap and trade, we are not going to do it. They had tried it already. There were 35 Members—and at that time it was a much more liberal Senate than we have today—only 35 would actually vote for something like that.

Incidentally, it was at that time when Climategate came up. Climategate was when they analyzed some of the things IPCC had said, and they had all these quotes and emails that totally debunked the credibility of IPCC. Still today they are talking about it.

To give us an idea, Christopher Booker, with the UK Telegraph, said: "Worst scientific scandal of our generation."

That scandal he is talking about is to try to have them make people believe climate change is going to destroy the world.

Clive Crook of the Financial Times said:

The closed mindedness of these supposed men of science . . . is surprising, even to me. The stink of intellectual corruption is overpowering.

Again we are talking about Climategate. Nobody talks about it any more, but still this is a fact.

A prominent physicist from the IPCC, who is no longer there, said: "Climategate was a fraud on a scale I've never seen," talking about how they are rigging the information to try to cook the science.

So we have all of these—this is Newsweek. It said: "Once celebrated climate researchers feeling like the used car salesman."

"Some of the IPCC's most quoted data and recommendations were taken straight out of unchecked activist brochures. . . ."

So these are the things that are going on, and I hope the people, as we develop this right now—we should be concentrating on the vote that is going to be coming up having to do with the pipeline. But as the committee of jurisdiction is looking at this, I can assure you we are going to be having hearings.

One hearing we are going to have is to get some of the best scientists

around to evaluate and to see what the truth is on the global warming issue.

But in the meantime let's go back to the pipeline. I can't think of any argument against it that is overwhelming, and the mere fact that people say they don't like the Alberta sands or the production, it doesn't mean we in the United States of America are going to stop them from doing it because they will just do it and ship it to China.

So we have a huge issue we are concerned with. I can't think of anything I have seen in the past 4 or 5 years that is going to be producing more jobs in America than this issue.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED WATERS OF THE UNITED STATES RULE

Mr. GRASSLEY. Mr. President, I rise to speak about the issue of EPA regulation of waters of the United States rule. I see it as one of the biggest power grabs by an agency in a long time—particularly the EPA.

Before I speak on that issue, I wish to bring attention to some headlines that appeared both in Iowa and nationally on this issue. I will quote the Wall Street Journal: "Watch Out For That Puddle, Soon It Could Be Federally Regulated."

The next quote is from an Iowa Farm Bureau spokesman: "Water rule is really about control of land."

The next quote is from a Farm Bureau spokesman: "Water rule intrudes on property rights, hurts conservation."

Farm Bureau spokesman said: "EPA proposal would regulate all water wherever it flows."

Farm Bureau spokesman: "Water rule threatens U.S. agriculture."

The last quote is also from the a Farm Bureau spokesman: "Rule is threat to conservation momentum . . . a flood of red tape."

Last spring the EPA and Army Corps of Engineers published a proposed rule to define "waters of the United States." This is part of a long history of attempts to determine the scope of the Federal Government's jurisdiction under the Clean Water Act. The latest proposal has generated no shortage of

rhetoric from those concerned about the rule as well as those defending the rule. However, you would be hard pressed to call it a true debate.

Rather than making a serious attempt to address the numerous legitimate concerns with the rule, the Environmental Protection Agency and their allies in the professional advocacy community have attempted to push a narrative that tries to portray critics of the rule as misinformed, nutty or in favor of water pollution.

They, the advocacy community, claim the rule simply clarifies the jurisdiction of Federal agencies, and they also claim it does not expand that jurisdiction in any way. The EPA also promises that it will not interfere with the farmer's routine use of their own land.

Given its history of ignorance and indifference toward the needs of rural America, it is no wonder EPA's assurances are met with skepticism by many in America, but it is particularly met with skepticism by America's farmers.

The EPA will have another chance to consider the concerns of farmers and many other Americans as it reviews the formal comments it collected before issuing the final rule. Still, given the fact that EPA officials—starting with Administrator McCarthy—went out of their way to be dismissive of legitimate criticisms even while the comment period was still open, I am not going to hold my breath hoping for a change of heart on the part of the EPA.

First, it is important to understand that this debate is not about whether we should have clean water protections but which level of government is in the best position under our laws, and the intent of those laws, to manage which bodies of water.

Despite what some interest groups would have you believe, no one is arguing that farmers or anybody else should be allowed to dump pollutants in the waterway. There is also no question that there is a very important role for the Federal Clean Water Act to protect interstate bodies of water.

However, the Clean Water Act itself clearly states:

It is the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution, to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, and to consult with the Administrator in the exercise of his authority under this chapter.

That is in the law right now, and it has been there a long time. The complicated Federal clean water permitting process is appropriate if a factory is looking to discharge waste into a river, but does it make sense to require a farmer to apply for a Federal permit to build a fence on his own land?

There is clearly a limit to where Federal regulation is appropriate, where Federal regulation is effective, and where Federal regulation is legal. In

fact, expanding the cumbersome Federal permitting process to cover lands it was not designed for would actually be counterproductive in my State of Iowa and probably a lot of other States as well.

Forcing farmers to file for a Federal permit would add significant redtape for Iowa farmers as they make routine decisions about how best to use their land. Ironically, that could delay or deter farmers from undertaking projects to improve water quality, and that is why I quoted some members of the Farm Bureau earlier.

There was one story that very specifically said farmers in Iowa were willing to spend a lot of their own money to do some conservation practices that everybody would be very happy with, but they are not going to spend their own money because they cannot even get an answer from the Corps and the EPA on whether they even need a permit. They are not going to pursue their conservation practices and invest all of their money if they could be violating a law, so you can see why they are very upset. Under the existing law, the EPA cannot even tell a farmer whether they need a permit, and they want to assume a lot more responsibility. It is kind of concerning considering that they cannot do their job right now.

Having to constantly apply for Federal permits just to farm their land would be unnecessarily burdensome to farmers, a waste of Federal resources, and an intrusion on State and local land use regulations. What about the EPA's assertion that its proposed rule simply clarifies its existing jurisdiction and restores it to what it used to be? The fact is that in the past, the EPA has attempted to claim nearly unlimited jurisdiction well beyond what the law says and well beyond even an expansive reading of the Federal Government's constitutional authority to regulate interstate commerce. However, those attempts were repeatedly struck down by our U.S. Supreme Court.

The Court decisions in 2001 and 2006 made very clear that the Federal Government does not have unlimited authority over all bodies of water but left the precise division between State and Federal or local jurisdictions somewhat unclear.

In response, the U.S. Army Corps of Engineers and the EPA issued guidance in December 2008 in an attempt to comply with the Supreme Court's rulings but did not engage in any formal rule-making. Significantly, legislation was routinely proposed in Congress by those who wanted to push aside the Supreme Court rulings and give the EPA unlimited jurisdiction, but it never garnered enough support.

While legislation would not have resolved the constitutional limitations to the EPA's authority, it is important to know Congress passed on several opportunities to amend the Clean Water Act to expand Federal jurisdiction.

Nevertheless, in April 2011, the Obama administration proposed to replace the existing guidance with revised guidance that provided a very expansive reading of Federal authority, leaving very little land under State and local control.

This unilateral reassertion of expansive authority—in defiance of the other two branches of government—was made even more egregious by being proposed through guidance outside of the formal rulemaking process. Fortunately, the outcry from the Republican Congress against this power grab caused the administration to scrap guidance and pursue a formal rule with public comment.

I do believe we need clarity about what is and is not covered by the Clean Water Act, and particularly its permitting process, and that a formal rule with public comments is the best route.

However, the proposed rule that was formally published in April of 2014 once again asserted an extremely expansive view of Federal authority. This would increase the Federal Government's jurisdiction to regulate waters that had previously been the sole jurisdiction of States and local governments. Moreover, rather than clarifying points of uncertainty remaining from original guidance, court decisions, and precedents, the proposed rule would create a whole new definition of waters of the United States that opens new areas of uncertainty and confusion.

Rather than fixing the problem, this rule would make it much worse. It would lead to another round of court cases and overwhelm the Federal agencies with requests for jurisdictional determinations, diverting scarce Federal resources away from enforcement in more critical areas.

The EPA and the Corps should withdraw the proposed rule and work collaboratively with the States and other stakeholders to craft a sensible rule that will ensure clean water and provide much needed clarity about the scope of the Federal Clean Water Act jurisdiction.

TRIBUTE TO TRISTRAM COFFIN

Mr. LEAHY. Mr. President, I would like to publicly thank U.S. attorney Tristram Coffin for his service to Vermont and our country. I have known Tris for decades, and I am proud that Vermont has been served by someone as thoughtful and fair as Tris. I join my fellow Vermonters in thanking him for his service to our State.

Tris earned his undergraduate degree from Wesleyan University and his law degree from Columbia University. He worked for me as a staff attorney on the Senate Judiciary Committee from 1991 to 1994 before becoming an assistant U.S. attorney in Vermont's civil division from 1994 to 1998 and in their criminal division from 1996 to 2006. He then worked in private practice in Burlington with the firm of Paul Frank &

Collins, P.C. In 2009 I recommended Tris for the vacant U.S. attorney position, and he was unanimously confirmed by the Senate in August 2009 to be Vermont's 36th U.S. attorney.

Throughout his time as U.S. attorney, Tris has demonstrated thoughtful leadership in partnering with State and local law enforcement agencies and Vermont communities on a wide range of issues, including efforts to confront the crisis of heroin and opioid addiction. In September 2010 he convened a timely and constructive symposium in the State house in Montpelier to discuss the problem of opiate drug abuse. Impressed by his work, last year I invited Tris to deliver testimony at a Judiciary Committee field hearing in Rutland examining community solutions to the opioid crisis. At that hearing, I was moved by the dedication and passion Tris has brought to developing partnerships with Vermont schools to raise awareness and focus on prevention.

Vermont is a safer and better place because of dedicated public servants like Tris. I commend Tris for his years of service to the Green Mountain State and wish him the best in his future endeavors. He is a friend I treasure.

TRIBUTE TO THE HONORABLE PATRICK R. DONAHOE

Mr. CARPER. Mr. President, I rise today to honor the 73rd Postmaster General of the United States, Patrick "Pat" R. Donahoe, upon his retirement, for his leadership, vision and commitment to the U.S. Postal Service, and for his service to our Nation. During his 39-year career, Pat ascended the ranks of the Postal Service and went on to help lead the 239-year-old agency during one of its most challenging periods.

Pat's career with the agency began in 1975, when he started as trainee on a mail-sorting machine in his native Pittsburgh. In 1976 he was hired as a clerk at the same location, and from there he moved up the ranks and went on to hold several leadership positions. Over the years, he has served as Vice President of Allegheny Operations, Senior Vice President of Human Resources, Senior Vice President of Operations, Chief Operating Officer, and Deputy Postmaster General.

In his role as Chief Operating Officer, he helped the Postal Service navigate back-to-back tragedies and challenges to mail operations following the 9/11 terrorist attacks and the use of the mail to transmit anthrax. He also played a key role in the recovery efforts following Hurricanes Katrina and Rita in 2005.

Before he worked his way up the Postal Service's ranks, Pat graduated from the University of Pittsburgh with a bachelor of science in economics. During his time with the Postal Service, he earned his master of science at the Massachusetts Institute of Technology Sloan School of Management as a Sloan fellow.

In October 2010, Pat was appointed by his colleagues on the Postal Service Board of Governors to be the Nation's 73rd Postmaster General, PMG. At the time, the outlook for the Postal Service was bleak and its future uncertain. It was hemorrhaging billions of dollars and saw its workforce numbers slashed as it grappled with the rapid transition to electronic communication and the fallout from the great recession in 2009. It was teetering on the edge of collapse, and no one knew how long the Postal Service could hold on. But Pat Donahoe accepted the challenge.

During his 4-year tenure as Postmaster General, Pat proved himself to be a dedicated public servant, a strong leader, and an innovative chief executive with the willingness to make tough calls and hard decisions. He did what was necessary to help the Postal Service keep its lights on and compete in the age of the Internet. He did a remarkable job using limited resources to keep the Postal Service alive during the second worst financial crisis in its history. With the help of a strong team at Postal Service headquarters and in postal facilities across the country, he sought to keep prices competitive, reduced costs, rightsized the enterprise, and explored a number of innovative and successful business endeavors. His efforts have helped guide the centuries-old agency through a remarkable transition that has better prepared it to compete and remain a linchpin of our economy in the digital age. In fact, his work and his vision have put the Postal Service in a position where, with the right tools and authorities from Congress, it can remain competitive and viable for generations to come.

Pat Donahoe had a vision for what the Postal Service could become and never stopped working to build on its potential. During his tenure, the Postmaster General helped bring the Postal Service to a place where it could better meet the demands of the 21st-century customers it serves. He reimaged tried-and-true services to make them more user-friendly and more valuable, like flat-rate shipping and priority mail. He created more opportunities to innovate and grow using the Postal Service's unique distribution network by adding services like Sunday package delivery and by exploring innovative partnerships with companies such as Amazon, FedEx, and UPS.

As someone who has watched the Postal Service both soar and struggle, Pat provided guidance and leadership during tremendously challenging times. Despite the significant financial and legislative restraints that face the Postal Service today, the Postmaster General kept the Postal Service on a course that would enable it to deliver on the high expectations set by the American public.

The PMG has also been a strong voice for the agency and an important partner to Congress during our efforts to pass comprehensive postal reform in the 112th and 113th Congress. He has

worked tirelessly on behalf of the Postal Service's customers, employees, stakeholders, and the 7 to 8 million people whose jobs depend on a healthy and robust Postal Service.

As I worked with my former partner on Homeland Security and Governmental Affairs Committee, Dr. Tom Coburn from Oklahoma, in developing comprehensive postal reform legislation, Pat and his staff were indispensable. We could always rely on the PMG and his team to come with little notice to a meeting in the Capitol or to join a late-night or weekend conference call.

As he would probably admit, Pat also took plenty of abuse from some of my colleagues here in Congress, from the press, and from the public. He knew that some of the initiatives he put into place during his tenure as Postmaster General would be unpopular but stuck to his guns because he thought it was the right thing to do. Even in recent days, he has continued to press for what he knows is right and what he knows will sustain the Postal Service in the years to come.

Pat Donahoe has graciously shared decades of his life with the Postal Service and has served the American people well. I sincerely thank him for his dedication, and I deeply appreciate his tireless efforts to help the Postal Service and our country. While Pat is retiring from the Postal Service, his legacy will carry on, and the changes he made will continue to serve the Postal Service and its customers. I wish Pat, his wife Janet, their two sons, and their granddaughters Charlotte and Lucy all the best in the years to come. As we say in the Navy when people complete an especially difficult assignment and sail off into the sunrise, "Fair winds and a following sea."

ADDITIONAL STATEMENTS

REMEMBERING LIEUTENANT COLONEL STEPHANIE RILEY

• Ms. AYOTTE. Mr. President, I wish to recognize the exceptional service and the extraordinary life of Lt. Col. Stephanie Riley of Concord, NH.

Born and raised in Henniker, NH, Stephanie graduated from Henniker High School in 1984. An excellent student, Stephanie attended St. Paul's advanced studies program the summer before her senior year and was the valedictorian of her high school class. In 1988, she graduated cum laude from Boston College's School of Nursing and in 1989 was commissioned into the U.S. Air Force, where she completed a 4-month nursing internship at Travis Air Force Base in California. Following her internship, she was stationed at the Barksdale Air Force Base in Louisiana for the remainder of her 3-year tour.

In 1992, Colonel Riley entered the Inactive Ready Reserve and became a civilian travel nurse. Showing both her love for the military and her home

State, she returned to New Hampshire in 2000 and joined the U.S. Air Force Reserves in Westover, MA, and then the NH Air National Guard in 2003. She subsequently volunteered for a tour abroad and deployed to Qatar in support of both Operation Enduring Freedom and Operation Iraqi Freedom. She held appointments in the Medical Group as officer in charge of staff development, assistant chief nurse, and the chief of education and training. Colonel Riley was employed by the New Hampshire Army National Guard as a case manager and was active on State and national committees. She became a voice for National Guard members and New Hampshire veterans and was a key member of New Hampshire's State Veteran's Advisory Committee, the Military Officers Association of America, and the national and State chapters of the National Guard Association. She served in key leadership positions on the New Hampshire Legislative Commission on Post Traumatic Stress Disorder, PTSD and Traumatic Brain Injury, TBI.

In October 2013, Steph was diagnosed with early stage breast cancer, and in what may have been her most heroic effort, she channeled her energy into a personal and sustained effort to promote health screenings and cancer awareness. She posted openly on social media and spoke courageously about her decision to undergo a preemptive double mastectomy. She sparked a team, "Steph Strong," that helped raise several thousand dollars for Concord Hospital. Her important message for all was to take preventative health screening seriously.

From her extensive military service, to her work as a civilian nurse, Stephanie devoted her life to serving others—a commitment that endured even while battling her own illness. She was taken from us far too soon but her legacy of compassion and her inspiring dedication to caring for her fellow citizens will live on through all those whose lives she touched.

Steph leaves behind the love of her life, her husband Shawn Riley, a deputy fire chief with the Laconia Fire Department, and their son Shane, age 13, and daughter Sammie Riley, age 9. We are all deeply saddened by the loss of our friend Lt. Col. Stephanie Riley, an extraordinary woman and proud New Hampshire daughter who served our State and Nation with honor, courage, and dedication. She represented the very best of our State, and I ask my colleagues to join me in sending Shawn and his family our deepest condolences and our gratitude for Steph's life and for her work.●

CONGRATULATING DICK GAMMICK

• Mr. HELLER. Mr. President, I wish to congratulate Washoe County district attorney Dick Gammick, of Reno, on his retirement. After decades of service to the people of Washoe County, District Attorney Gammick retired

from public service on January 3, 2015. It gives me great pleasure to congratulate him, not only as a colleague, but also as a friend, on his retirement after his years of hard work and dedication to the Silver State.

District Attorney Gammick stands as a shining example of someone who has devoted their life to the betterment of their community. A devoted husband and proud father, District Attorney Gammick's career in public service began in 1973 when he became a Reno Police Officer while attending the University of Nevada, Reno. After earning a degree in business administration, he went on to graduate from the McGeorge School of Law in Sacramento, CA, in 1982. District Attorney Gammick served as chief deputy district attorney for Washoe County for 10 years before serving as deputy Reno city attorney. Aside from dedicating his career to Washoe County, he has devoted much of his time and efforts to the betterment of his community through his roles as a board member of the Boys and Girls Club of Truckee Meadows, a member of the Prospector's Club, and former president of the Reno Rotary Club.

In 1994, he was elected Washoe County District Attorney, a post he served in for 20 years. District Attorney Gammick's accomplishments, such as the opening of a sexual assault center for women and children, as well as the implementation of preventive programs to keep young people out of prison, have made Washoe County a stronger and safer community. A dedicated prosecutor and advocate of justice, District Attorney Gammick was recognized by his peers as the recipient of the 2013 William J. Raggio Award, as he has committed his career to the administration of justice throughout Washoe County.

His service to the Reno community extends far beyond the many positions he has held in the Silver State over the years. District Attorney Gammick also served his country and is a decorated veteran from his time serving as a captain in the U.S. Army and a major in the Nevada Army National Guard. I extend my deepest gratitude to District Attorney Gammick for his courageous contributions to the United States of America and to freedom-loving nations around the world. His service to his country and his bravery and dedication earn him a place among the outstanding men and women who have valiantly defended our Nation. As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals who serve America, but also to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation.

I am grateful for his dedication and commitment to the people of Washoe County and to the State of Nevada. He

exemplifies the highest standards of leadership and community service and should be proud of his long and meaningful career. Today, I ask that all of my colleagues join me in congratulating District Attorney Gammick on his retirement, and I offer my deepest appreciation for all that he has done to make Washoe County an even better place. I offer my best wishes to Dick and his wife Norma for many successful and fulfilling years to come.●

TRIBUTE TO DOUG GILLESPIE

● Mr. HELLER. Mr. President, today I congratulate Clark County Sheriff Doug Gillespie of Las Vegas on his retirement. After more than three decades of service to the people of Clark County, Sheriff Gillespie retired from public service on January 5, 2015. It gives me great pleasure to congratulate him on his retirement after his years of hard work and dedication to the people of Southern Nevada.

Responsible for the safety of one of the world's top tourist attractions, Sheriff Gillespie stands as a shining example of someone who has devoted most of his life to serving his community. Born in Pennsylvania and raised in New York, Sheriff Gillespie's career in public service began in 1980 when he joined the Las Vegas Metropolitan Police Department as a patrol officer. Prior to serving as sheriff, he served in both SWAT and the K-9 unit, eventually working his way to undersheriff in 2003.

In 2006, he was elected Clark County sheriff, where he served for 8 years. Sheriff Gillespie's accomplishments, such as improving the Safe Strip Initiative to ensure tourist safety, civilianizing the LVMPD crime lab to ensure proper investigations, and establishing the Fusion Center to streamline and share information with different agencies, have made Clark County a stronger and safer community I am proud to represent in the U.S. Senate. A dedicated police officer and public servant, Sheriff Gillespie was recognized by the National Sheriffs' Association as the 2014 Sheriff of the Year.

I am grateful for Sheriff Gillespie's commitment and dedication to the people of Southern Nevada. He exemplifies the highest standards of leadership and community service and should be proud of his long and meaningful career. Today, I ask that all of my colleagues join me in congratulating Sheriff Gillespie on his retirement after 34 years, and I offer my deepest appreciation for all that he has done for Clark County. I offer my best wishes to Doug and his wife Louise, for many successful and fulfilling years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:54 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 33. An act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

H.R. 203. An act to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res.2. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the First Special Service Force, in recognition of its superior service during World War II.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res.7. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 203. An act to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Finance and referred as indicated:

S. 32. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 33. An act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. TOOMEY, Mr. DONNELLY, Mr. BURR, Mr. FRANKEN, Mr. PORTMAN, Mr. CASEY, Mr. COATS, Mrs. SHAHEEN, Mr. ALEXANDER, Ms. AYOTTE, Mr. CASSIDY, Mr. ISAKSON, Ms. MURKOWSKI, Mr. SCOTT, and Mr. WICKER):

S. 149. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; to the Committee on Finance.

By Mr. ISAKSON (for himself, Mrs. SHAHEEN, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. CRAPO, Ms. COLLINS, Mr. ENZI, Mrs. FISCHER, Mr. GRASSLEY, Mr. HEINRICH, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. MANCHIN, Mr. MCCAIN, Ms. MURKOWSKI, Mr. PERDUE, Mr. PORTMAN, Mr. VITTER, Mr. WARNER, Mr. JOHNSON, and Ms. HEITKAMP):

S. 150. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget.

By Mr. HELLER (for himself and Ms. HIRONO):

S. 151. A bill to require the Secretary of Defense to establish a process to determine whether individuals claiming certain service in the Philippines during World War II are eligible for certain benefits despite not being on the Missouri List, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 152. A bill to prohibit gaming activities on certain Indian land in Arizona until the expiration of certain gaming compacts; to the Committee on Indian Affairs.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. RUBIO, Mr. COONS, Mr. FLAKE, and Mr. BLUMENTHAL):

S. 153. A bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HEINRICH:

S. 154. A bill to amend the Act of July 31, 1947, to provide for the termination of certain mineral materials contracts; to the Committee on Energy and Natural Resources.

By Mr. MORAN (for himself, Mr. PERDUE, and Mr. ISAKSON):

S. 155. A bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. HELLER):

S. 156. A bill to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than \$1,000,000,000 and will cause significant adverse effects to the economy; to the Committee on Environment and Public Works.

By Mr. CASSIDY:

S. 157. A bill to repeal the medical device tax and the employer and individual responsibility requirements of the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. VITTER):

S. 158. A bill to authorize health insurance issuers to continue to offer for sale current group health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN (for himself, Mr. FLAKE, and Ms. AYOTTE):

S. 159. A bill to improve the operation of the Department of Homeland Security's Unmanned Aircraft System Program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HELLER (for himself and Mr. WARNER):

S. 160. A bill to direct the Secretary of the Interior and the Secretary of Agriculture to expedite access to certain Federal land under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WHITEHOUSE (for himself, Ms. BALDWIN, Mrs. SHAHEEN, Mr. DURBIN, Mr. REED, Mrs. MCCASKILL, Mr. FRANKEN, Ms. WARREN, Mr. MERKLEY, Mr. LEAHY, Mr. BLUMENTHAL, Mr. SANDERS, Mrs. BOXER, Mr. MARKEY, Mr. REID, Ms. KLOBUCHAR, and Mr. SCHATZ):

S. 161. A bill to ensure high-income earners pay a fair share of Federal taxes; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, and Mrs. BOXER):

S. 162. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property; to the Committee on Finance.

By Mr. SCHUMER:

S. 163. A bill to establish a grant program to help State and local law enforcement agencies reduce the risk of injury and death relating to the wandering characteristics of some children with autism and other disabilities; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself and Mr. CARDIN):

S. 164. A bill to increase the rates of pay under the General Schedule and other statutory pay systems and for prevailing rate employees by 3.8 percent, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. BURR, Mr. MCCAIN, and Mr. BARRASSO):

S. 165. A bill to extend and enhance prohibitions and limitations with respect to the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and for other purposes; to the Committee on Armed Services.

By Ms. KLOBUCHAR (for herself, Mr. CORNYN, Ms. HEITKAMP, Mr. KIRK, Ms. STABENOW, Mr. MCCAIN, Mr. WARNER, Ms. AYOTTE, Mr. FRANKEN, Mr. HOEVEN, Mr. BLUMENTHAL, Mr. COATS, Ms. HIRONO, and Mrs. GILLIBRAND):

S. 166. A bill to stop exploitation through trafficking; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Mr. BLUMENTHAL, Mr. BURR, Mr. MANCHIN, Mr. BLUNT, Mr. FLAKE, Ms. KLOBUCHAR, Mr. MORAN, Mr. MENEN-

DEZ, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. SULLIVAN, Mrs. GILLIBRAND, Mr. DURBIN, Mr. SANDERS, Ms. HIRONO, Mr. BROWN, Mr. TESTER, Mrs. MURRAY, Mr. DONNELLY, and Mr. CASEY):

S. 167. A bill to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROBERTS (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. COATS, Mr. CRAPO, Mrs. FISCHER, Mr. GRASSLEY, Mr. HATCH, Mr. ISAKSON, Mr. JOHNSON, Ms. MURKOWSKI, Mr. RUBIO, Mr. SESSIONS, Mr. WICKER, Mr. TILLIS, and Mr. TOOMEY):

S. 168. A bill to codify and modify regulatory requirements of Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY:

S. 169. A bill to amend the Internal Revenue Code of 1986 to disallow any deduction for punitive damages, and for other purposes; to the Committee on Finance.

By Mr. TESTER (for himself, Mrs. MURRAY, and Mr. HELLER):

S. 170. A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER:

S. 171. A bill to amend title 38, United States Code, to provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel in connection with certain special disabilities rehabilitation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER:

S. 172. A bill to amend title 38, United States Code, to provide for certain requirements relating to the immunization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASSIDY:

S. 173. A bill to modify the definition of "antique firearm"; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mrs. SHAHEEN):

S. 174. A bill to end offshore tax abuses, to preserve our national defense and protect American families and businesses from devastating cuts, and for other purposes; to the Committee on Finance.

By Mrs. BOXER:

S. 175. A bill to provide for certain land to be taken into trust for the benefit of Morongo Band of Mission Indians, and for other purposes; to the Committee on Indian Affairs.

By Mrs. BOXER:

S. 176. A bill to advance integrate water management and development through innovation, resiliency, conservation, and efficiency in the 21st century, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON:

S. 177. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a breach of security; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself, Ms. KLOBUCHAR, Mr. WYDEN, Mr. KIRK, Mr.

HATCH, Mr. GRAHAM, Mr. COONS, Mr. UDALL, Mr. COATS, Mr. CRAPO, Mr. HOEVEN, Mr. CASEY, and Mrs. FEINSTEIN):

S. 178. A bill to provide justice for the victims of trafficking; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. 179. A bill to designate the facility of the United States Postal Service located at 14 3rd Avenue, NW, in Chisholm, Minnesota, as the "James L. Oberstar Memorial Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself, Mr. LEAHY, Mr. FLAKE, Mr. CARDIN, Ms. MIKULSKI, Mr. ENZI, Ms. COLLINS, Mr. BROWN, Mr. UDALL, and Mr. Kaine):

S. Res. 26. A resolution commending Pope Francis for his leadership in helping to secure the release of Alan Gross and for working with the Governments of the United States and Cuba to achieve a more positive relationship; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 30

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 30, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act.

S. 136

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 136, a bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service.

S. 139

At the request of Mr. WYDEN, the names of the Senator from California (Mrs. BOXER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 139, a bill to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 141

At the request of Mr. CORNYN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 141, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 143

At the request of Mr. WICKER, the name of the Senator from Arkansas

(Mr. BOOZMAN) was added as a cosponsor of S. 143, a bill to allow for improvements to the United States Merchant Marine Academy and for other purposes.

S. 145

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 145, a bill to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown.

S. 146

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 146, a bill to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, and for other purposes.

AMENDMENT NO. 3

At the request of Mr. PORTMAN, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Maine (Ms. COLLINS), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of amendment No. 3 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ISAKSON (for himself, Mrs. SHAHEEN, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. CRAPO, Ms. COLLINS, Mr. ENZI, Mrs. FISCHER, Mr. GRASSLEY, Mr. HEINRICH, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. MANCHIN, Mr. MCCAIN, Ms. MURKOWSKI, Mr. PERDUE, Mr. PORTMAN, Mr. VITTER, Mr. WARNER, Mr. JOHNSON, and Ms. HEITKAMP):

S. 150. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget.

Mr. ISAKSON. Mr. President, I am very pleased to announce today that the biennial budget proposal introduced by Senators ISAKSON and SHAHEEN has been dropped. There are 21 cosponsors, 15 Republicans, 6 Democrats, and 1 Independent, and the number is growing as we speak.

Senator SHAHEEN and I started this initiative 2 years ago and it received 68

votes and a test vote on the budget in 2013. We believe it will receive the necessary votes to become the law of the land in the United States of America.

You might ask why a biennial budget or you might ask yourself why an \$18 trillion debt and why hundreds of billions of dollars in deficit. We don't have the oversight necessary with the spending that we do now to keep us from wasting money. It is time we ran our country like we run our home. It is time we held our agencies accountable. It is time our appropriations weren't just idle promises but our oversight was the rule of law in the United States Senate.

Twenty States out of fifty in the United States have biennial budgets. Countries around the world have biennial budgets. This Congress 3 years ago did a biennial budget for the Veterans' Administration just to ensure we wouldn't have a break in funding if the government shut down. Predictability of funding of government is critical, but the oversight of that funding is more critical.

Picture this. You get elected in an even-numbered year, 2014. Your first order of business in 2015 is to pass a 2-year appropriations act and a 2-year budget. But then in the even-numbered year that comes up when you are running for reelection, your job is not spending, your job is oversight. Wouldn't it be nice, instead of going home and promising you are bringing home the bacon, instead you are bringing home the savings to see to it that taxpayers' money is better spent?

The biennial budget is an idea whose time has come. It is the only way we are going to measurably and sustainably reduce the deficits and reduce the debt in the United States of America and hold our spending more accountable.

Just last night on the floor of the U.S. House of Representatives, the Clay bill was passed on suicide prevention, a new program in the VA, and the funding mechanism was existing funds and fungibility. We already know there is existing money in the appropriations to our agencies to pay for new ideas if we charge them to go find them. Some of the measures we have been funding for 40 or 50 years probably don't need to be done anymore and some of the things we are not doing probably need to be done. But the way to do it is not to spend more money and throw more money at the problem, but the way to do it is to do it the way the American taxpayers do it back home—sit around the kitchen table, set their priorities, make their funding predictable, and from time to time go back and look at where they are spending money and see if they can't improve it. This is an idea that will make America great.

Senator SHAHEEN is a former Governor of the State of New Hampshire. She had a biennial budget process in her State, and I wish to yield to her to describe her cosponsorship of this bill.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. I thank the Presiding Officer and I thank my colleague Senator ISAKSON, and I am pleased to join him on the floor today as we reintroduce this bipartisan legislation, the Biennial Budgeting and Appropriations Act. I want to start by recognizing the good work of Senator ISAKSON because he started working on this issue when he came to the Senate in 2005, and he has introduced this legislation in every Congress since then. I have been pleased to be able to join him in the last two Congresses.

I think we have an opportunity in this Congress to pass this common-sense bipartisan reform. As Senator ISAKSON pointed out, there is no question that the budget process in Washington is broken. Since 1980 there have been only two budgets that have been finished on time, according to the process. In that timeframe Congress has resorted to more than 150 short-term funding bills or continuing resolutions, and we all remember what it was like when the government shut down in October of 2013. It cost the economy \$24 billion. It hurt small business. It hurt people across this country. That is no way to govern.

While we have made significant progress to reduce deficits in recent years, we need a new way to do business in Washington. Biennial budgeting won't fix everything, but as Senator ISAKSON said, it is an important reform that will allow us to work across the aisle not only to make more sense of the budget process but to be better stewards of taxpayer dollars.

We know that biennial budgeting works. I can attest to that personally, coming from the State of New Hampshire where we have a biennial budget. I served three terms as Governor. We were able in each of those bienniums to pass a budget that was balanced, that allowed us to get the budget done in the first year of the election cycle and in the second year to be able to have oversight. It works in New Hampshire, it works in 20 States around the country, and it can work in Washington.

Biennial budgeting offers a better process that encourages us to work together to pass budgets on time and to use taxpayer dollars more efficiently. As Senator ISAKSON says, in the first year congressional agencies would put together a 2-year budget. In the second year Congress would have time to conduct oversight to give agencies the ability to focus on achieving their missions.

As we all know, there are regular reports from the Government Accountability Office, GAO, that identify areas of waste, fraud, and duplicative programs within government.

For example, they have identified ways to reform the farm programs, to cut down on inefficiencies in defense, to reduce fraud in health programs, but the current budget process doesn't provide an effective mechanism to regularly review GAO's recommendations.

Under my annual budgeting, we would be able to take a close look at

those recommendations to implement savings in the second year which will allow us to figure out how we can more effectively provide programs to the American people and eliminate those that don't work and support those that do.

As we said, in 2013 we had a very strong vote with 68 Senators voting to endorse the concept of biannual budgeting. It was a very strong bipartisan vote. A similar biannual budget bill passed the House last year with a bipartisan bill vote. It is clear the momentum is growing for this concept because people understand we have to do something to reform our budget process.

The bill we are introducing today has 22 bipartisan cosponsors. I know we are both working to get more bipartisan sponsors on the bill, and we think we have a great shot, with support from this body, to pass biannual budgeting. We think there is support in the House to do that, and I look forward to working with Senator ISAKSON and my colleagues in the Senate to get this done.

Mr. ISAKSON. I thank the Senator for her support, and I urge the other Members of the Senate to join us in this reform effort for the spending of the taxpayer's dollars.

By Mr. ROBERTS (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. COATS, Mr. CRAPO, Mrs. FISCHER, Mr. GRASSLEY, Mr. HATCH, Mr. ISAKSON, Mr. JOHNSON, Ms. MURKOWSKI, Mr. RUBIO, Mr. SESSIONS, Mr. WICKER, Mr. TILLIS, and Mr. TOOMEY):

S. 168. A bill to codify and modify regulatory requirements of Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

Mr. ROBERTS. I rise today to talk about a problem that affects virtually every American, and that would be government regulations; to be more accurate, government overregulation.

Let me point out something. In 2014, the administration issued 3,541 rules in 1 year. That cost \$181 billion. The first week of this new year brought us 35 new rules which added another 1,326 pages to the Federal Register. I would urge people back home in the business community or any other endeavor in which they are bothered by regulations to read the Federal Register as opposed to the CONGRESSIONAL RECORD. The CONGRESSIONAL RECORD deals with natural gas. The Federal Register deals with facts and regulations.

Yet just last night we learned that President Obama has threatened to veto a significant regulatory reform proposal now being considered by the House of Representatives. It is interesting to me that the President is now threatening to veto his own ideas. Back in January of 2011, President Obama issued an Executive Order. It was entitled "Improve Regulation and Regulatory Review." That is in quotes.

Unfortunately, despite claims otherwise, the Executive order has largely been ignored.

My bill takes this order and gives it the force of law. My bill would require that all regulations put forth by the current and future administrations consider the economic burden on American businesses and ensure stakeholder input during the regulatory process, thus promoting innovation and new jobs.

Just as the President said in his order, this egregious assault on our economy must stop; it must end.

Like many of my colleagues, I have had a longstanding concern with the regulatory process. Like other States, from every corner of Kansas, the No. 1 topic of concern for all businesses, including agriculture, energy, small shops on Main Street, healthcare, education, lending—virtually every enterprise is harmed by overly burdensome and costly regulations. Whether it is the EPA'S Waters of the United States proposed rule or listing of the infamous lesser prairie chicken as an endangered species, the public is losing faith in our government.

Obamacare is a prime example of this administration's vast regulatory overreach. The bill, as signed into law by the President, as most of us know, was no short read. It was over 2,000 pages. But as the rollout continues, the administration has now expanded Obamacare into over 24,000 pages of regulations in the Federal Register.

Here is one example of the overly intrusive regulations this administration used the Affordable Health Care Act to implement. It is Health and Human Services' mandate requiring religious institutions to provide insurance coverage for contraceptives and emergency contraceptives.

Last year the U.S. Supreme Court had to intervene and determine that the HHS mandate placed an excessive burden on the religious freedom of owners of family business.

Regrettably, costly and intrusive regulations are not limited to HHS and Obamacare and CMS and all of those regulations. Not to be outdone by HHS, the Environmental Protection Agency has its own set of overly burdensome regulations.

Let's take the proposed Waters of the United States rule. For example, as the distinguished Senator from Arkansas knows, this proposal has caused a firestorm of opposition all throughout farm country. The EPA claims that the proposed Waters of the United States rule simply clarifies their scope of jurisdiction.

Well, therein lies the problem.

Farmers and ranchers do not believe it. I don't believe it. They fear the rule would allow the EPA to further expand its control of private property under the guise of the Clean Water Act.

If finalized, this rule could have the EPA requiring a permit for ordinary field work, construction of a fence, or even planting crops near certain waters.

Kansans are justifiably worried the permits would be time consuming, costly, and that the EPA could ultimately deny the permits, even for longstanding and normal cropping practices.

This is another prime example of why many Kansans feel their way of life is under attack by the Federal Government's overreach and overregulation. Simply put, they feel ruled, not governed.

Let's not forget the burdensome carbon regulations now being proposed by the EPA. Over the last 6 years, this administration's EPA has pursued an agenda that can only be described as a war on fossil fuels and coal.

Just last week, in fact, the EPA announced that by June of this year it would finalize carbon reduction rules for both new and existing powerplants. That is going to be a move that will drive up the energy cost for all Kansans, all Americans, hoping to heat their homes during extremely cold winters or hot summers such as the ones we are experiencing now.

This decision, which the EPA itself admitted would do nothing to reduce global temperature if similar plans are not adopted by Russia, China, India and Brazil, will have unbelievable costs. According to a recent study about the American Action Forum which cites the administration's own estimates these rules are anticipated to cost industry \$8.8 billion to comply. That translates into a 6-percent rise in electricity prices. Sadly, these regulations will hurt low-income individuals the most—folks who can least afford it and who spend a greater percentage of their income to heat their homes and feed their families.

Now let's look at what the Department of Labor is trying to do with President Obama's pen-and-paper dictates. Currently the Department of Labor has a regulation to eliminate the companion care exemption put forth by this body 40 years ago. This important exemption allows seniors and the disabled community access to affordable in-home care. If eliminated, those who need in-home care the most, and their families, would be forced to determine which hours are the most crucial in the day they receive assistance. In addition, caregivers who currently work over 40 hours would see their hours and paychecks cut because of this rule.

As the Department of Labor issued this rule and geared up for implementation on January 1 of this year, benefit recipients, individual States, and Members of this Chamber stood together to shine a light on the negative effects this would have on communities all across the Nation.

At the same time, a judge issued a partial determination on this regulation, and he stated the following:

The fact that the Department issued its Notice of Proposed Rulemaking after all six of these bills failed to move is nothing short of yet another thinly-veiled effort to do through regulation what could not be done

through legislation. Such conduct bespeaks an arrogance to not only disregard Congress's intent but seize unprecedented authority to impose overtime and minimum wage requirements in defiance of the plain language of Section 213. It cannot stand.

My legislation addresses these abuses. Far too often the good intentions of regulations lead to job loss and red-tape that strangles business. Worse still, the agenda of bureaucrats drives bad policies and stifles economy.

I have a solution. My comprehensive bill requires agencies to promote economic growth and job creation by ensuring the benefits outweigh the cost of regulations. It is as simple as that.

We need to be listening to the folks as well who have to live with and pay for the effects of these rules. I am hearing from stakeholders that they are weighing the time and expense of responding to regulations against the fact that this administration keeps giving them the minimum allowable time and then doesn't even consider their input. Bottom line, fewer Americans are bothering to participate in the comment period process.

Stakeholder input is crucial and needs to be considered. Right now, time varies on how long the comment period stays open. Sometimes it is as little as 2 weeks. My bill would ensure the period stay open for at least 60 days. My colleagues, as we all well know, sometimes the people who are most affected by these rules don't even know they are subject to the changes.

My bill would mandate that agencies provide warnings, appropriate default rules, and disclosure requirements to the public. Right now, just the opposite takes place. The administration skirts stakeholder input by issuing interim final rules—called IFRs—and they become effective immediately upon publication. My bill allows delay of implementation if that rule is challenged in court and until the court makes a decision. All too often new regulations are proposed and finalized while existing regulations are not being enforced.

I have heard from a lot of folks in Kansas that the problems these new regulations claim to fix could be solved if the current regulations were properly monitored. Simply put, the solution is not more rules and regulations; it is considering the existing ones.

My bill mandates an ongoing review of regulatory actions to identify those outmoded, ineffective, insufficient, or excessively burdensome rules—or, as the President himself once put it, “rules that are just plain dumb”—and allows agencies to streamline, expand, or repeal those regulations.

We need regulatory reform. My bill codifies the President's Executive order while closing the loopholes and gives it the rule of law. I do not know how the President could disagree with that.

The U.S. Chamber, the National Federation of Independent Business, the Farm Bureau, and the Competitive Enterprise Institute have all endorsed my bill.

Last year I had 35 cosponsors. We have about thirteen. I urge my colleagues to support this legislation and stay engaged as this process continues.

By Mr. LEAHY:

S. 169. A bill to amend the Internal Revenue Code of 1986 to disallow any deduction for punitive damages, and for other purposes; to the Committee on Finance.

Mr. LEAHY. Mr. President, today I am introducing legislation that will close a tax loophole that allows companies to write off the punishment they receive for corporate wrongdoing. Under current law, a corporation or individual business owner may deduct the cost of court-ordered punitive damages paid to victims as an “ordinary” business expense. For the victims of extreme corporate misconduct, there is nothing ordinary about this. It is simply wrong. This tax loophole allows corporations to wreak havoc and then write it off as a cost of doing business. That undermines the whole point of punitive damages.

Punitive damage awards are designed to punish the wrongdoers and to correct dangerous or unfair practices. These awards are reserved for the most extreme and harmful misconduct. Sadly, our country's history is replete with examples of serious corporate misconduct that resulted in injury and death to American citizens, but through our civil justice system and the thoughtful deliberations of our Nations' juries, this misconduct is not only punishable by assessing punitive damages, it has led to broad changes to improve the safety and security of American consumers. Unfortunately, our current tax laws shield the worst corporate misconduct. The No Tax Write-Offs for Corporate Wrongdoers Act would change that by making a simple fix to our tax code.

In 2010, the Deepwater Horizon drilling rig exploded and 11 Americans were killed in the worst oil spill in American history. That same year, an explosion in the Upper Big Branch Mine in West Virginia claimed the lives of 29 miners. In 2009 and 2010, Toyota recalled more than 10 million vehicles because of a faulty acceleration system that has been linked to at least 31 accidents and 12 deaths, and recently admitted to misleading the public about these dangers. Let us also not forget Exxon's misconduct in 1989, which led to an ecological and human disaster that affects Alaskans even today. Vermonters and all Americans deserve to have companies such as these held accountable for their actions. Why should hard-working taxpayers subsidize corporations who deserve to be punished?

In 1994, a jury awarded \$5 billion in punitive damages against Exxon for its actions which caused the Valdez spill that devastated an entire region, the livelihoods of its people, and destroyed a way of life. The role of the jury is enshrined in our Constitution, and nothing

is more fundamental to the American justice system than our trust in the judgment of those who serve on them. Rather than accept this reality, Exxon paid its cadre of lawyers to fight the jury's measure of accountability all the way to the Supreme Court. In 2008, after 14 years of appeals, an activist majority on the Court invented a novel rule and held that in maritime cases, punitive damage awards could not exceed twice the amount of compensatory damages, reducing Exxon's punitive damages to \$500 million. Adding insult to injury to the victims of the oil spill, Exxon was then able to use the federal tax code to write-off the punitive damages as an “ordinary” business expense. This is not how the system should work and it is long past time for Congress to fix it.

I have previously supported legislation by Senator WHITEHOUSE to overturn the Supreme Court's decision in Exxon, and I am disappointed that not a single Republican joined this commonsense effort. If we cannot get bipartisan support to ensure corporations pay the highest possible price for actions that cause serious harm to health and public safety, I hope we can at least agree that American taxpayers should not have to subsidize their misconduct once a jury has determined they should be punished.

The Obama administration requested eliminating this tax deduction in its 2014 budget proposal. The Joint Committee on Taxation has estimated that ending this deduction loophole will result in increased revenues of \$355 million over 10 years. Members who have devoted so much of their focus to reducing the Federal deficit should support my legislation. Anyone who cares about protecting consumers should agree that extreme corporate misconduct should not be treated in our tax code simply as a cost of doing business.

Right now, the new Republican majority in Congress is pushing legislation to approve the Keystone XL Pipeline. Despite being billed as the safest pipeline in history, the existing Keystone pipeline has spilled 12 times in its first year of operation. This has a familiar ring: Before the Valdez spill in Alaska, Exxon executives told us their oil tankers were safe. I do not support Congress bypassing the environmental appeal process to fast-track further construction of the Keystone pipeline, which poses considerable safety and environmental risks. But anyone who does want this pipeline should at a minimum consider the communities and families who would be affected by its construction, and in the event of a spill, they should make sure taxpayers are not subsidizing the damage. This speaks to our basic notions of justice and fair play.

I hope all Senators will join me to end tax write-offs for corporate wrongdoers. When companies can write off a

significant portion of the financial impact of punitive damages, the incentives in our justice system that promote responsible business practices lose their force. Corporate misconduct should no longer be treated as a cost of doing business.

By Mr. CORNYN (for himself, Ms. KLOBUCHAR, Mr. WYDEN, Mr. KIRK, Mr. HATCH, Mr. GRAHAM, Mr. COONS, Mr. UDALL, Mr. COATS, Mr. CRAPO, Mr. HOEVEN, Mr. CASEY, and Mrs. FEINSTEIN):

S. 178. A bill to provide justice for the victims of trafficking; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 178

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Justice for Victims of Trafficking Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Domestic trafficking victims’ fund.
- Sec. 3. Official recognition of American victims of human trafficking.
- Sec. 4. Victim-centered child human trafficking deterrence block grant program.
- Sec. 5. Direct services for victims of child pornography.
- Sec. 6. Increasing compensation and restitution for trafficking victims.
- Sec. 7. Streamlining human trafficking investigations.
- Sec. 8. Enhancing human trafficking reporting.
- Sec. 9. Reducing demand for sex trafficking.
- Sec. 10. Using existing task forces and components to target offenders who exploit children.
- Sec. 11. Targeting child predators.
- Sec. 12. Monitoring all human traffickers as violent criminals.
- Sec. 13. Crime victims’ rights.
- Sec. 14. Combat Human Trafficking Act.
- Sec. 15. Grant accountability.

SEC. 2. DOMESTIC TRAFFICKING VICTIMS’ FUND.

(a) **IN GENERAL.**—Chapter 201 of title 18, United States Code, is amended by adding at the end the following:

“§ 3014. Additional special assessment”

“(a) **IN GENERAL.**—In addition to the assessment imposed under section 3013, the court shall assess an amount of \$5,000 on any non-indigent person or entity convicted of an offense under—

“(1) chapter 77 (relating to peonage, slavery, and trafficking in persons);

“(2) chapter 109A (relating to sexual abuse);

“(3) chapter 110 (relating to sexual exploitation and other abuse of children);

“(4) chapter 117 (relating to transportation for illegal sexual activity and related crimes); or

“(5) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324) (relating to human smuggling), unless the person induced, assisted, abetted, or aided only an individual who at the time of such action was

the alien’s spouse, parent, son, or daughter (and no other individual) to enter the United States in violation of law.

“(b) **SATISFACTION OF OTHER COURT-ORDERED OBLIGATIONS.**—An assessment under subsection (a) shall not be payable until the person subject to the assessment has satisfied all outstanding court-ordered fines and orders of restitution arising from the criminal convictions on which the special assessment is based.

“(c) **ESTABLISHMENT OF DOMESTIC TRAFFICKING VICTIMS’ FUND.**—There is established in the Treasury of the United States a fund, to be known as the ‘Domestic Trafficking Victims’ Fund’ (referred to in this section as the ‘Fund’), to be administered by the Attorney General, in consultation with the Secretary of Homeland Security and the Secretary of Health and Human Services.

“(d) **DEPOSITS.**—Notwithstanding section 3302 of title 31, or any other law regarding the crediting of money received for the Government, there shall be deposited in the Fund an amount equal to the amount of the assessments collected under this section, which shall remain available until expended.

“(e) **USE OF FUNDS.**—

“(1) **IN GENERAL.**—From amounts in the Fund, in addition to any other amounts available, and without further appropriation, the Attorney General, in coordination with the Secretary of Health and Human Services shall, for each of fiscal years 2016 through 2020, use amounts available in the Fund to award grants or enhance victims’ programming under—

“(A) sections 202, 203, and 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a, 14044b, and 14044c);

“(B) subsections (b)(2) and (f) of section 107 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105); and

“(C) section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)).

“(2) **GRANTS.**—Of the amounts in the Fund used under paragraph (1), not less than \$2,000,000 shall be used for grants to provide services for child pornography victims under section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)).

“(3) **LIMITATIONS.**—Amounts in the Fund, or otherwise transferred from the Fund, shall be subject to the limitations on the use or expending of amounts described in sections 506 and 507 of division H of the Consolidated Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 409) to the same extent as if amounts in the Fund were funds appropriated under division H of such Act.

“(f) **TRANSFERS.**—

“(1) **IN GENERAL.**—Effective on the day after the date of enactment of the Justice for Victims of Trafficking Act of 2015, on September 30 of each fiscal year, all unobligated balances in the Fund shall be transferred to the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601).

“(2) **AVAILABILITY.**—Amounts transferred under paragraph (1)—

“(A) shall be available for any authorized purpose of the Crime Victims Fund; and

“(B) shall remain available until expended.

“(g) **COLLECTION METHOD.**—The amount assessed under subsection (a) shall, subject to subsection (b), be collected in the manner that fines are collected in criminal cases.

“(h) **DURATION OF OBLIGATION.**—The obligation to pay an assessment imposed on or after the date of enactment of the Justice for Victims of Trafficking Act of 2015 shall not cease until the assessment is paid in full.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 201 of title 18, United States Code, is amended by

inserting after the item relating to section 3013 the following:

“3014. Additional special assessment.”.

SEC. 3. OFFICIAL RECOGNITION OF AMERICAN VICTIMS OF HUMAN TRAFFICKING.

Section 107 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105) is amended—

(1) by redesignating subsection (f) (as originally enacted), as subsection (h); and

(2) in subsection (f) (as added by section 213(a)(1) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110-457)), by adding at the end the following:

“(4) **OFFICIAL RECOGNITION OF AMERICAN VICTIMS OF HUMAN TRAFFICKING.**—

“(A) **IN GENERAL.**—Upon receiving credible information that establishes, by a preponderance of the evidence, that a covered individual is a victim of a severe form of trafficking and at the request of the covered individual, the Secretary of Health and Human Services shall promptly issue a determination that the covered individual is a victim of a severe form of trafficking. The Secretary shall have exclusive authority to make such a determination.

“(B) **COVERED INDIVIDUAL DEFINED.**—In this subsection, the term ‘covered individual’ means—

“(i) a citizen of the United States; or

“(ii) an alien lawfully admitted for permanent residence (as defined in section 101(20) of the Immigration and Nationality Act (8 U.S.C. 1101(20))).

“(C) **PROCEDURE.**—For purposes of this paragraph, in determining whether a covered individual has provided credible information that the covered individual is a victim of a severe form of trafficking, the Secretary of Health and Human Services shall consider all relevant and credible evidence, and if appropriate, consult with the Attorney General, the Secretary of Homeland Security, or the Secretary of Labor.

“(D) **PRESUMPTIVE EVIDENCE.**—For purposes of this paragraph, the following forms of evidence shall receive deference in determining whether a covered individual has established that the covered individual is a victim of a severe form of trafficking:

“(i) A sworn statement by the covered individual or a representative of the covered individual if the covered individual is present at the time of such statement but not able to competently make such sworn statement.

“(ii) Police, government agency, or court records or files.

“(iii) Documentation from a social services, trafficking, or domestic violence program, child welfare or runaway and homeless youth program, or a legal, clinical, medical, or other professional from whom the covered individual has sought assistance in dealing with the crime.

“(iv) A statement from any other individual with knowledge of the circumstances that provided the basis for the claim.

“(v) Physical evidence.

“(E) **REGULATIONS REQUIRED.**—Not later than 18 months after the date of enactment of the Justice for Victims of Trafficking Act of 2015, the Secretary of Health and Human Services shall adopt regulations to implement this paragraph.

“(F) **RULE OF CONSTRUCTION; OFFICIAL RECOGNITION OPTIONAL.**—Nothing in this paragraph may be construed to require a covered individual to obtain a determination under this paragraph in order to be defined or classified as a victim of a severe form of trafficking under this section.”.

SEC. 4. VICTIM-CENTERED CHILD HUMAN TRAFFICKING DETERRENCE BLOCK GRANT PROGRAM.

(a) IN GENERAL.—Section 203 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044b) is amended to read as follows:

“SEC. 203. VICTIM-CENTERED CHILD HUMAN TRAFFICKING DETERRENCE BLOCK GRANT PROGRAM.

“(a) GRANTS AUTHORIZED.—The Attorney General may award block grants to an eligible entity to develop, improve, or expand domestic child human trafficking deterrence programs that assist law enforcement officers, prosecutors, judicial officials, and qualified victims’ services organizations in collaborating to rescue and restore the lives of victims, while investigating and prosecuting offenses involving child human trafficking.

“(b) AUTHORIZED ACTIVITIES.—Grants awarded under subsection (a) may be used for—

“(1) the establishment or enhancement of specialized training programs for law enforcement officers, first responders, health care officials, child welfare officials, juvenile justice personnel, prosecutors, and judicial personnel to—

“(A) identify victims and acts of child human trafficking;

“(B) address the unique needs of child victims of human trafficking;

“(C) facilitate the rescue of child victims of human trafficking;

“(D) investigate and prosecute acts of human trafficking, including the soliciting, patronizing, or purchasing of commercial sex acts from children, as well as training to build cases against complex criminal networks involved in child human trafficking;

“(E) use laws that prohibit acts of child human trafficking, child sexual abuse, and child rape, and to assist in the development of State and local laws to prohibit, investigate, and prosecute acts of child human trafficking; and

“(F) implement and provide education on safe harbor laws enacted by States, aimed at preventing the criminalization and prosecution of child sex trafficking victims for prostitution offenses;

“(2) the establishment or enhancement of dedicated anti-trafficking law enforcement units and task forces to investigate child human trafficking offenses and to rescue victims, including—

“(A) funding salaries, in whole or in part, for law enforcement officers, including patrol officers, detectives, and investigators, except that the percentage of the salary of the law enforcement officer paid for by funds from a grant awarded under this section shall not be more than the percentage of the officer’s time on duty that is dedicated to working on cases involving child human trafficking;

“(B) investigation expenses for cases involving child human trafficking, including—

“(i) wire taps;

“(ii) consultants with expertise specific to cases involving child human trafficking;

“(iii) travel; and

“(iv) other technical assistance expenditures;

“(C) dedicated anti-trafficking prosecution units, including the funding of salaries for State and local prosecutors, including assisting in paying trial expenses for prosecution of child human trafficking offenders, except that the percentage of the total salary of a State or local prosecutor that is paid using an award under this section shall be not more than the percentage of the total number of hours worked by the prosecutor that is spent working on cases involving child human trafficking;

“(D) the establishment of child human trafficking victim witness safety, assistance, and relocation programs that encourage cooperation with law enforcement investigations of crimes of child human trafficking by leveraging existing resources and delivering child human trafficking victims’ services through coordination with—

“(i) child advocacy centers;

“(ii) social service agencies;

“(iii) State governmental health service agencies;

“(iv) housing agencies;

“(v) legal services agencies; and

“(vi) non-governmental organizations and shelter service providers with substantial experience in delivering wrap-around services to victims of child human trafficking; and

“(E) the establishment or enhancement of other necessary victim assistance programs or personnel, such as victim or child advocates, child-protective services, child forensic interviews, or other necessary service providers; and

“(3) the establishment or enhancement of problem solving court programs for trafficking victims that include—

“(A) mandatory and regular training requirements for judicial officials involved in the administration or operation of the court program described under this paragraph;

“(B) continuing judicial supervision of victims of child human trafficking who have been identified by a law enforcement or judicial officer as a potential victim of child human trafficking, regardless of whether the victim has been charged with a crime related to human trafficking;

“(C) the development of a specialized and individualized, court-ordered treatment program for identified victims of child human trafficking, including—

“(i) State-administered outpatient treatment;

“(ii) life skills training;

“(iii) housing placement;

“(iv) vocational training;

“(v) education;

“(vi) family support services; and

“(vii) job placement;

“(D) centralized case management involving the consolidation of all of each child human trafficking victim’s cases and offenses, and the coordination of all trafficking victim treatment programs and social services;

“(E) regular and mandatory court appearances by the victim during the duration of the treatment program for purposes of ensuring compliance and effectiveness;

“(F) the ultimate dismissal of relevant non-violent criminal charges against the victim, where such victim successfully complies with the terms of the court-ordered treatment program; and

“(G) collaborative efforts with child advocacy centers, child welfare agencies, shelters, and non-governmental organizations with substantial experience in delivering wrap-around services to victims of child human trafficking to provide services to victims and encourage cooperation with law enforcement.

“(c) APPLICATION.—

“(1) IN GENERAL.—An eligible entity shall submit an application to the Attorney General for a grant under this section in such form and manner as the Attorney General may require.

“(2) REQUIRED INFORMATION.—An application submitted under this subsection shall—

“(A) describe the activities for which assistance under this section is sought;

“(B) include a detailed plan for the use of funds awarded under the grant;

“(C) provide such additional information and assurances as the Attorney General determines to be necessary to ensure compli-

ance with the requirements of this section; and

“(D) disclose—

“(i) any other grant funding from the Department of Justice or from any other Federal department or agency for purposes similar to those described in subsection (b) for which the eligible entity has applied, and which application is pending on the date of the submission of an application under this section; and

“(ii) any other such grant funding that the eligible entity has received during the 5-year period ending on the date of the submission of an application under this section.

“(3) PREFERENCE.—In reviewing applications submitted in accordance with paragraphs (1) and (2), the Attorney General shall give preference to grant applications if—

“(A) the application includes a plan to use awarded funds to engage in all activities described under paragraphs (1) through (3) of subsection (b); or

“(B) the application includes a plan by the State or unit of local government to continue funding of all activities funded by the award after the expiration of the award.

“(d) DURATION AND RENEWAL OF AWARD.—

“(1) IN GENERAL.—A grant under this section shall expire 3 years after the date of award of the grant.

“(2) RENEWAL.—A grant under this section shall be renewable not more than 2 times and for a period of not greater than 2 years.

“(e) EVALUATION.—The Attorney General shall—

“(1) enter into a contract with a non-governmental organization, including an academic or nonprofit organization, that has experience with issues related to child human trafficking and evaluation of grant programs to conduct periodic evaluations of grants made under this section to determine the impact and effectiveness of programs funded with grants awarded under this section; and

“(2) submit the results of any evaluation conducted pursuant to paragraph (1) to—

“(A) the Committee on the Judiciary of the Senate; and

“(B) the Committee on the Judiciary of the House of Representatives.

“(f) MANDATORY EXCLUSION.—An eligible entity awarded funds under this section that is found to have used grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the block grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

“(g) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if within the 5 fiscal years before submitting an application for a grant under this section, the grantee has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

“(h) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 5 percent of the total amount expended to carry out this section.

“(i) FEDERAL SHARE.—The Federal share of the cost of a program funded by a grant awarded under this section shall be—

“(1) 70 percent in the first year;

“(2) 60 percent in the second year; and

“(3) 50 percent in the third year, and in all subsequent years.

“(j) AUTHORIZATION OF FUNDING; FULLY OFFSET.—For purposes of carrying out this section, the Attorney General, in consultation with the Secretary of Health and Human Services, is authorized to award not more than \$7,000,000 of the funds available in

the Domestic Trafficking Victims' Fund, established under section 3014 of title 18, United States Code, for each of fiscal years 2016 through 2020.

“(k) DEFINITIONS.—In this section—

“(1) the term ‘child’ means a person under the age of 18;

“(2) the term ‘child advocacy center’ means a center created under subtitle A of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.);

“(3) the term ‘child human trafficking’ means 1 or more severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)) involving a victim who is a child; and

“(4) the term ‘eligible entity’ means a State or unit of local government that—

“(A) has significant criminal activity involving child human trafficking;

“(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing child human trafficking;

“(C) has developed a workable, multi-disciplinary plan to combat child human trafficking, including—

“(i) the establishment of a shelter for victims of child human trafficking, through existing or new facilities;

“(ii) the provision of trauma-informed, gender-responsive rehabilitative care to victims of child human trafficking;

“(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of human trafficking, with a focus on domestic child human trafficking;

“(iv) prevention, deterrence, and prosecution of offenses involving child human trafficking, including soliciting, patronizing, or purchasing human acts with children;

“(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth;

“(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or child, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

“(vii) cooperation or referral agreements with State child welfare agencies and child advocacy centers; and

“(D) provides an assurance that, under the plan under subparagraph (C), a victim of child human trafficking shall not be required to collaborate with law enforcement officers to have access to any shelter or services provided with a grant under this section.

“(l) GRANT ACCOUNTABILITY; SPECIALIZED VICTIMS' SERVICE REQUIREMENT.—No grant funds under this section may be awarded or transferred to any entity unless such entity has demonstrated substantial experience providing services to victims of human trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of human trafficking victims.”.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7101 note) is amended by striking the item relating to section 203 and inserting the following:

“Sec. 203. Victim-centered child human trafficking deterrence block grant program.”.

SEC. 5. DIRECT SERVICES FOR VICTIMS OF CHILD PORNOGRAPHY.

The Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(1) in section 212(5) (42 U.S.C. 13001a(5)), by inserting “, including human trafficking and

the production of child pornography” before the semicolon at the end; and

(2) in section 214 (42 U.S.C. 13002)—

(A) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(B) by inserting after subsection (a) the following:

“(b) DIRECT SERVICES FOR VICTIMS OF CHILD PORNOGRAPHY.—The Administrator, in coordination with the Director and with the Director of the Office of Victims of Crime, may make grants to develop and implement specialized programs to identify and provide direct services to victims of child pornography.”.

SEC. 6. INCREASING COMPENSATION AND RESTITUTION FOR TRAFFICKING VICTIMS.

(a) AMENDMENTS TO TITLE 18.—Section 1594 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “that was used or” and inserting “that was involved in, used, or”;

(ii) by inserting “, and any property traceable to such property” after “such violation”;

(B) in paragraph (2), by inserting “, or any property traceable to such property” after “such violation”;

(2) in subsection (e)(1)(A)—

(A) by striking “used or” and inserting “involved in, used, or”;

(B) by inserting “, and any property traceable to such property” after “any violation of this chapter”;

(3) by redesignating subsection (f) as subsection (g); and

(4) by inserting after subsection (e) the following:

“(f) TRANSFER OF FORFEITED ASSETS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Attorney General shall transfer assets forfeited pursuant to this section, or the proceeds derived from the sale thereof, to satisfy victim restitution orders arising from violations of this chapter.

“(2) PRIORITY.—Transfers pursuant to paragraph (1) shall have priority over any other claims to the assets or their proceeds.

“(3) USE OF NON-FORFEITED ASSETS.—Transfers pursuant to paragraph (1) shall not reduce or otherwise mitigate the obligation of a person convicted of a violation of this chapter to satisfy the full amount of a restitution order through the use of non-forfeited assets or to reimburse the Attorney General for the value of assets or proceeds transferred under this subsection through the use of non-forfeited assets.”.

(b) AMENDMENT TO TITLE 28.—Section 524(c)(1)(B) of title 28, United States Code, is amended by inserting “chapter 77 of title 18,” after “criminal drug laws of the United States or of”.

(c) AMENDMENTS TO TITLE 31.—

(1) IN GENERAL.—Chapter 97 of title 31, United States Code, is amended—

(A) by redesignating section 9703 (as added by section 638(b)(1) of the Treasury, Postal Service, and General Government Appropriations Act, 1993 (Public Law 102-393; 106 Stat. 1779)) as section 9705; and

(B) in section 9705(a), as redesignated—

(i) in paragraph (1)—

(I) in subparagraph (I)—

(aa) by striking “payment” and inserting “Payment”;

(bb) by striking the semicolon at the end and inserting a period; and

(II) in subparagraph (J), by striking “payment” and inserting “Payment”;

(ii) in paragraph (2)—

(I) in subparagraph (B)—

(aa) in clause (iii)—

(AA) in subclause (I), by striking “or” and inserting “of”; and

(BB) in subclause (III), by striking “and” at the end;

(bb) in clause (iv), by striking the period at the end and inserting “; and”; and

(cc) by inserting after clause (iv) the following:

“(v) U.S. Immigration and Customs Enforcement with respect to a violation of chapter 77 of title 18 (relating to human trafficking);”.

(II) in subparagraph (G), by adding “and” at the end; and

(III) in subparagraph (H), by striking “; and” and inserting a period.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) CROSS REFERENCES.—

(i) TITLE 28.—Section 524(c) of title 28, United States Code, is amended—

(I) in paragraph (4)(C), by striking “section 9703(g)(4)(A)(ii)” and inserting “section 9705(g)(4)(A)”;

(II) in paragraph (10), by striking “section 9703(p)” and inserting “section 9705(p)”;

(III) in paragraph (11), by striking “section 9703” and inserting “section 9705”.

(ii) TITLE 31.—Title 31, United States Code, is amended—

(I) in section 312(d), by striking “section 9703” and inserting “section 9705”; and

(II) in section 5340(1), by striking “section 9703(p)(1)” and inserting “section 9705(p)(1)”.

(iii) TITLE 39.—Section 2003(e)(1) of title 39, United States Code, is amended by striking “section 9703(p)” and inserting “section 9705(p)”.

(B) TABLE OF SECTIONS.—The table of sections for chapter 97 of title 31, United States Code, is amended to read as follows:

“9701. Fees and charges for Government services and things of value.

“9702. Investment of trust funds.

“9703. Managerial accountability and flexibility.

“9704. Pilot projects for managerial accountability and flexibility.

“9705. Department of the Treasury Forfeiture Fund.”.

SEC. 7. STREAMLINING HUMAN TRAFFICKING INVESTIGATIONS.

Section 2516 of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (a), by inserting a comma after “weapons”;

(B) in subparagraph (c)—

(i) by inserting “section 1581 (peonage), section 1584 (involuntary servitude), section 1589 (forced labor), section 1590 (trafficking with respect to peonage, slavery, involuntary servitude, or forced labor),” before “section 1591”;

(ii) by inserting “section 1592 (unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor),” before “section 1751”;

(iii) by inserting a comma after “virus”;

(iv) by striking “, section” and inserting a comma;

(v) by striking “or” after “misuse of passports”; and

(vi) by inserting “or” before “section 555”;

(C) in subparagraph (j), by striking “pipeline,” and inserting “pipeline.”;

(D) in subparagraph (p), by striking “documents, section 1028A (relating to aggravated identity theft)” and inserting “documents, section 1028A (relating to aggravated identity theft)”;

(2) in paragraph (2), by inserting “human trafficking, child sexual exploitation, child pornography production,” after “kidnapping”.

SEC. 8. ENHANCING HUMAN TRAFFICKING REPORTING.

(a) IN GENERAL.—Section 505 of title I of the Omnibus Crime Control and Safe Streets

Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following:

“(i) **PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.**—For purposes of this section, the term ‘part 1 violent crimes’ shall include severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).”.

(b) **CRIME CONTROL ACT AMENDMENTS.**—Section 3702 of the Crime Control Act of 1990 (42 U.S.C. 5780) is amended—

(1) in paragraph (2), by striking “and” at the end; and

(2) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking “paragraph (2)” and inserting “paragraph (3)”;

(B) in subparagraph (A), by inserting “and a photograph taken within the previous 180 days” after “dental records”;

(C) in subparagraph (B), by striking “and” at the end;

(D) by redesignating subparagraph (C) as subparagraph (D); and

(E) by inserting after subparagraph (B) the following:

“(C) notify the National Center for Missing and Exploited Children of each report received relating to a child reported missing from a foster care family home or childcare institution; and”.

SEC. 9. REDUCING DEMAND FOR SEX TRAFFICKING.

(a) **IN GENERAL.**—Section 1591 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking “or maintains” and inserting “maintains, patronizes, or solicits”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “or obtained” and inserting “obtained, patronized, or solicited”;

(B) in paragraph (2), by striking “or obtained” and inserting “obtained, patronized, or solicited”;

(3) in subsection (c)—

(A) by striking “or maintained” and inserting “, maintained, patronized, or solicited”;

(B) by striking “knew that the person” and inserting “knew, or recklessly disregarded the fact, that the person”.

(b) **DEFINITION AMENDED.**—Section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(10)) is amended by striking “or obtaining” and inserting “obtaining, patronizing, or soliciting”.

(c) **PURPOSE.**—The purpose of the amendments made by this section is to clarify the range of conduct punished as sex trafficking.

SEC. 10. USING EXISTING TASK FORCES AND COMPONENTS TO TARGET OFFENDERS WHO EXPLOIT CHILDREN.

Not later than 180 days after the date of enactment of this Act, the Attorney General shall ensure that—

(1) all task forces and working groups within the Innocence Lost National Initiative engage in activities, programs, or operations to increase the investigative capabilities of State and local law enforcement officers in the detection, investigation, and prosecution of persons who patronize, or solicit children for sex; and

(2) all components and task forces with jurisdiction to detect, investigate, and prosecute cases of child labor trafficking engage in activities, programs, or operations to increase the capacity of such components to deter and punish child labor trafficking.

SEC. 11. TARGETING CHILD PREDATORS.

(a) **CLARIFYING THAT CHILD PORNOGRAPHY PRODUCERS ARE HUMAN TRAFFICKERS.**—Section 2423(f) of title 18, United States Code, is amended—

(1) by striking “means (1) a” and inserting the following: “means—

“(1) a”;

(2) by striking “United States; or (2) any” and inserting the following: “United States;”

“(2) any”; and

(3) by striking the period at the end and inserting the following: “; or

“(3) production of child pornography (as defined in section 2256(8)).”.

(b) **HOLDING SEX TRAFFICKERS ACCOUNTABLE.**—Section 2423(g) of title 18, United States Code, is amended by striking “a preponderance of the evidence” and inserting “clear and convincing evidence”.

SEC. 12. MONITORING ALL HUMAN TRAFFICKERS AS VIOLENT CRIMINALS.

Section 3156(a)(4)(C) of title 18, United States Code, is amended by inserting “77,” after “chapter”.

SEC. 13. CRIME VICTIMS' RIGHTS.

(a) **IN GENERAL.**—Section 3771 of title 18, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

“(9) The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement.

“(10) The right to be informed of the rights under this section and the services described in section 503(c) of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607(c)) and provided contact information for the Office of the Victims' Rights Ombudsman of the Department of Justice.”;

(2) in subsection (d)(3), in the fifth sentence, by inserting “, unless the litigants, with the approval of the court, have stipulated to a different time period for consideration” before the period; and

(3) in subsection (e)—

(A) by striking “this chapter, the term” and inserting the following: “this chapter:

“(1) **COURT OF APPEALS.**—The term ‘court of appeals’ means—

“(A) the United States court of appeals for the judicial district in which a defendant is being prosecuted; or

“(B) for a prosecution in the Superior Court of the District of Columbia, the District of Columbia Court of Appeals.

“(2) **CRIME VICTIM.**—

“(A) **IN GENERAL.**—The term”;

(B) by striking “In the case” and inserting the following:

“(B) **MINORS AND CERTAIN OTHER VICTIMS.**—In the case”;

(C) by adding at the end the following:

“(3) **DISTRICT COURT; COURT.**—The terms ‘district court’ and ‘court’ include the Superior Court of the District of Columbia.”.

(b) **CRIME VICTIMS FUND.**—Section 1402(d)(3)(A)(i) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)(A)(i)) is amended by inserting “section” before “3771”.

(c) **APPELLATE REVIEW OF PETITIONS RELATING TO CRIME VICTIMS' RIGHTS.**—

(1) **IN GENERAL.**—Section 3771(d)(3) of title 18, United States Code, as amended by subsection (a)(2) of this section, is amended by inserting after the fifth sentence the following: “In deciding such application, the court of appeals shall apply ordinary standards of appellate review.”.

(2) **APPLICATION.**—The amendment made by paragraph (1) shall apply with respect to any petition for a writ of mandamus filed under section 3771(d)(3) of title 18, United States Code, that is pending on the date of enactment of this Act.

SEC. 14. COMBAT HUMAN TRAFFICKING ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Combat Human Trafficking Act of 2015”.

(b) **DEFINITIONS.**—In this section:

(1) **COMMERCIAL SEX ACT; SEVERE FORMS OF TRAFFICKING IN PERSONS; STATE.**—The terms “commercial sex act”, “severe forms of trafficking in persons”, and “State” have the

meanings given those terms in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(2) **COVERED OFFENDER.**—The term “covered offender” means an individual who obtains, patronizes, or solicits a commercial sex act involving a person subject to severe forms of trafficking in persons.

(3) **COVERED OFFENSE.**—The term “covered offense” means the provision, obtaining, patronizing, or soliciting of a commercial sex act involving a person subject to severe forms of trafficking in persons.

(4) **FEDERAL LAW ENFORCEMENT OFFICER.**—The term “Federal law enforcement officer” has the meaning given the term in section 115 of title 18, United States Code.

(5) **LOCAL LAW ENFORCEMENT OFFICER.**—The term “local law enforcement officer” means any officer, agent, or employee of a unit of local government authorized by law or by a local government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(6) **STATE LAW ENFORCEMENT OFFICER.**—The term “State law enforcement officer” means any officer, agent, or employee of a State authorized by law or by a State government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(c) **DEPARTMENT OF JUSTICE TRAINING AND POLICY FOR LAW ENFORCEMENT OFFICERS, PROSECUTORS, AND JUDGES.**—

(1) **TRAINING.**—

(A) **LAW ENFORCEMENT OFFICERS.**—The Attorney General shall ensure that each anti-human trafficking program operated by the Department of Justice, including each anti-human trafficking training program for Federal, State, or local law enforcement officers, includes technical training on—

(i) effective methods for investigating and prosecuting covered offenders; and

(ii) facilitating the provision of physical and mental health services by health care providers to persons subject to severe forms of trafficking in persons.

(B) **FEDERAL PROSECUTORS.**—The Attorney General shall ensure that each anti-human trafficking program operated by the Department of Justice for United States attorneys or other Federal prosecutors includes training on seeking restitution for offenses under chapter 77 of title 18, United States Code, to ensure that each United States attorney or other Federal prosecutor, upon obtaining a conviction for such an offense, requests a specific amount of restitution for each victim of the offense without regard to whether the victim requests restitution.

(C) **JUDGES.**—The Federal Judicial Center shall provide training to judges relating to the application of section 1593 of title 18, United States Code, with respect to ordering restitution for victims of offenses under chapter 77 of such title.

(2) **POLICY FOR FEDERAL LAW ENFORCEMENT OFFICERS.**—The Attorney General shall ensure that Federal law enforcement officers are engaged in activities, programs, or operations involving the detection, investigation, and prosecution of covered offenders.

(d) **MINIMUM PERIOD OF SUPERVISED RELEASE FOR CONSPIRACY TO COMMIT COMMERCIAL CHILD SEX TRAFFICKING.**—Section 3583(k) of title 18, United States Code, is amended by inserting “1594(c),” after “1591.”.

(e) **BUREAU OF JUSTICE STATISTICS REPORT ON STATE ENFORCEMENT OF HUMAN TRAFFICKING PROHIBITIONS.**—The Director of the Bureau of Justice Statistics shall—

(1) prepare an annual report on—

(A) the rates of—

(i) arrest of individuals by State law enforcement officers for a covered offense;

(ii) prosecution (including specific charges) of individuals in State court systems for a covered offense; and

(iii) conviction of individuals in State court systems for a covered offense; and

(B) sentences imposed on individuals convicted in State court systems for a covered offense; and

(2) submit the annual report prepared under paragraph (1) to—

(A) the Committee on the Judiciary of the House of Representatives;

(B) the Committee on the Judiciary of the Senate;

(C) the Task Force;

(D) the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(g)); and

(E) the Attorney General.

SEC. 15. GRANT ACCOUNTABILITY.

(a) DEFINITION.—In this section, the term “covered grant” means a grant awarded by the Attorney General under section 203 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044b), as amended by section 4.

(b) ACCOUNTABILITY.—All covered grants shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) IN GENERAL.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of a covered grant to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(B) DEFINITION.—In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(C) MANDATORY EXCLUSION.—A recipient of a covered grant that is found to have an unresolved audit finding shall not be eligible to receive a covered grant during the following 2 fiscal years.

(D) PRIORITY.—In awarding covered grants the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a covered grant.

(E) REIMBURSEMENT.—If an entity is awarded a covered grant during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and covered grants, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General may not award a covered grant to a nonprofit organization that holds money in off-shore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a covered grant and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts transferred to the Department of Justice under this Act, or the amendments made by this Act, may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, or the amendments made by this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(ii) all mandatory exclusions required under paragraph (1)(C) have been issued;

(iii) all reimbursements required under paragraph (1)(E) have been made; and

(iv) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

(4) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts awarded under this Act, or any amendments made by this Act, may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a covered grant has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another covered grant for not less than 5 years.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 26—COMMENDING POPE FRANCIS FOR HIS LEADERSHIP IN HELPING TO SECURE THE RELEASE OF ALAN GROSS AND FOR WORKING WITH THE GOVERNMENTS OF THE UNITED STATES AND CUBA TO ACHIEVE A MORE POSITIVE RELATIONSHIP

Mr. DURBIN (for himself, Mr. LEAHY, Mr. FLAKE, Mr. CARDIN, Ms. MIKULSKI, Mr. ENZI, Ms. COLLINS, Mr. BROWN, Mr. UDALL, and Mr. KAINE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 26

Whereas Archbishop Jorge Mario Bergoglio of Buenos Aires, Argentina, was elected Supreme Pontiff of the Catholic Church on March 13, 2013;

Whereas his election marked the first time a Pope from the Americas and a Jesuit has been selected, as well as the first time a pope took the papal name of Francis, after St. Francis of Assisi;

Whereas Pope Francis has been recognized for his humility, dedication to the poor, and commitment to dialogue and reconciliation;

Whereas United States citizen and former United States Agency for International Development subcontractor Alan Phillip Gross traveled to Cuba five times in 2009, working to establish wireless networks and improve Internet and Intranet access and connectivity for the Cuban people;

Whereas Mr. Gross was arrested in Havana, Cuba, on December 3, 2009, charged with “actions against the independence or the territorial integrity of the state” in February 2011, and sentenced to 15 years in prison;

Whereas, on November 21, 2013, 66 United States Senators wrote to President Barack Obama urging him “to act expeditiously to take whatever steps are in the national interest to obtain [Alan Gross’s] release,” and pledging “to support [the] Administration in pursuit of this worthy goal”;

Whereas during Mr. Gross’s five years in prison, his health seriously deteriorated and his mother Evelyn Gross passed away;

Whereas Mr. Gross’s family remained tirelessly committed to ensuring his well-being and return to the United States;

Whereas, over the course of several years, the United States Government used a variety of channels to encourage the Government of Cuba to release Mr. Gross;

Whereas, in March 2012, during his visit to Cuba, then-Pope Benedict raised Mr. Gross’s detention with President Raul Castro;

Whereas, in 2013, the Governments of the United States and Cuba began 18 months of closed door talks on Mr. Gross’s detention and on improving the relations between the two countries;

Whereas, in October 2014, Pope Francis played a key role in the negotiations between the United States and Cuba, making personal appeals to both President Obama and President Raul Castro, pushing for reconciliation between the two countries, and hosting a diplomatic meeting at the Vatican between the United States and Cuba;

Whereas, on December 17, 2014, the Government of Cuba released Alan Gross on humanitarian grounds and allowed him to return to the United States;

Whereas, on December 17, 2014, President Obama also announced the reestablishment of diplomatic ties with Cuba;

Whereas, in this announcement, President Obama thanked Pope Francis for his involvement and the example he provides to the international community; and

Whereas, on December 18, 2014, Pope Francis said, “The work of an ambassador lies in small steps, small things, but they always end up making peace, bringing closer the hearts of people, sowing brotherhood among people.”: Now, therefore, be it

Resolved, That the Senate—

(1) extends its gratitude to Pope Francis for his extraordinary efforts in helping to secure the release of Alan Gross;

(2) commends His Holiness for his role in encouraging an improved relationship between the United States and Cuba; and

(3) warmly welcomes the return to the United States of Alan Gross.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table.

SA 5. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 6. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 7. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 8. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 9. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 10. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 11. Mr. MERKLEY submitted an amendment intended to be proposed to

amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 12. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 13. Mr. MARKEY (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra.

SA 14. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 15. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 16. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 17. Mr. FRANKEN (for himself, Ms. STABENOW, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra.

SA 18. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 19. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 20. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 21. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 22. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 23. Mr. SANDERS (for himself, Mr. MENENDEZ, and Mr. WHITEHOUSE) submitted

an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 24. Mr. SANDERS (for himself, Mr. BENNET, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 25. Mr. MARKEY (for himself, Mr. WYDEN, Mr. WHITEHOUSE, Mr. DURBIN, Mr. MERKLEY, Mr. BOOKER, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 26. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 27. Mr. WYDEN (for himself, Mr. BENNET, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Mr. NELSON, Ms. STABENOW, Mr. MENENDEZ, Mr. SCHUMER, Mr. MARKEY, Mr. MERKLEY, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 28. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 29. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 30. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 31. Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 32. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 33. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table.

SA 34. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr.

CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. 3. REPEAL OF CERTAIN LIMITATIONS ON COASTWISE TRADE.

(a) IN GENERAL.—Section 12112(a) of title 46, United States Code, is amended to read as follows:

“(a) IN GENERAL.—A coastwise endorsement may be issued for a vessel that qualifies under the laws of the United States to engage in the coastwise trade.”.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Commandant of the United States Coast Guard shall issue regulations to implement the amendment made by subsection (a) that require all vessels permitted to engage in the coastwise trade to meet all appropriate safety and security requirements.

(c) CONFORMING AMENDMENTS.—

(1) TANK VESSEL CONSTRUCTION STANDARDS.—Section 3703a(c)(1)(C) of title 46, United States Code, is amended by striking “and is qualified for documentation as a wrecked vessel under section 12112 of this title”.

(2) LIQUIFIED GAS TANKERS.—Section 12120 of such title is amended by striking “, if the vessel—” and all that follows and inserting a period.

(3) SMALL PASSENGER VESSELS.—Section 12121(b) of such title is amended by striking “12112”.

(4) LOSS OF COASTWISE TRADE PRIVILEGES.—Section 12132 of such title is repealed.

(5) CLERICAL AMENDMENT.—The table of sections for chapter 121 of title 46, United States Code, is amended by striking the item relating to section 12132.

SEC. 4. EFFECTIVE DATE.

SA 5. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . REPORT TO CONGRESS ON AFFECTED LANDOWNERS.

Not less frequently than once each year for the duration of the construction of the pipeline described in section 2(a), the Secretary of State, in consultation with the Secretary of Energy and the Governors of the States in which the pipeline described in section 2(a) is constructed, shall submit to Congress a report that describes—

(1) the number of individual private landowners (referred to in this section as the “landowners”) whose land is located in the planned path of the pipeline;

(2) the acreage of land located in the planned path of the pipeline that is held by each of the landowners;

(3) the amount of property of the landowners that has been transferred to TransCanada Corporation or TransCanada Keystone Pipeline, L.P.; and

(4) the means TransCanada Corporation and TransCanada Keystone Pipeline, L.P. used to acquire the land described in paragraph (3).

SA 6. Mr. SCHATZ submitted an amendment intended to be proposed to

amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . SENSE OF THE SENATE REGARDING CLIMATE CHANGE.

It is the sense of the Senate that climate change—

- (1) is real;
- (2) is caused by humans;
- (3) is urgent; and
- (4) is solvable.

SA 7. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 3. FINDINGS; SENSE OF THE SENATE.

(a) FINDINGS.—Congress finds that—

(1) the combined average temperature over global land and ocean surfaces of the earth has increased over the past 150 years, and the increase is mostly due to human activities, such as burning fossil fuels;

(2) known as climate change, this increase in temperature has already begun affecting the weather in the United States;

(3) fighting climate change requires transitioning to clean energy, such as solar and wind power, and away from dirty energy, such as oil and coal; and

(4) stopping climate change will strengthen the health of families by reducing local air and water pollution.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should—

(1) take action to reduce greenhouse gas emissions; and

(2) encourage other countries to reduce greenhouse gas emissions.

SA 8. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . SENSE OF CONGRESS REGARDING CLIMATE CHANGE.

(a) FINDINGS.—Congress finds that—

(1) climate change is solvable and urgent;

(2) stopping climate change will improve the health of all the people of the United States, especially children, the elderly, and people with chronic illnesses, by reducing air pollution and water pollution;

(3) families in the United States will benefit economically from transitioning to clean energy, such as solar and wind, and away from dirty energy, such as oil and coal, as soon as possible; and

(4) climate change—

(A) is real;

(B) is mostly due to human activities; and
(C) has already begun affecting the weather in the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress should—

(1) take action to reduce heat-trapping pollution; and

(2) encourage other countries to reduce heat-trapping pollution.

SA 9. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . RENEWABLE ENERGY.

Notwithstanding any other provision of this Act, the pipeline and facilities referred to in section 2(a) may not continue operation unless each year during the 10-year period beginning on commencement of operation of the pipeline referred to in section 2(a), the annual amount of non-hydro renewable energy capacity that is built in the United States is equal to or greater than the maximum annual capacity of the pipeline on an energy content basis.

SA 10. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ____ . FINES FOR TRESPASS AND DRILLING WITHOUT APPROVAL.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term “Director” means the Director of the Bureau of Land Management.

(2) TRESPASS OR DRILLING WITHOUT APPROVAL.—The term “trespass or drilling without approval” has the meaning given the term in the report of the Office of Inspector General of the Department of the Interior entitled “Inspection Report—BLM Federal Onshore Oil and Gas Trespass and Drilling Without Approval” and dated September 29, 2014.

(b) SHUT DOWN OF WELLS.—

(1) IN GENERAL.—The Director shall conduct a due process hearing for any owner or operator of a well who has been detected as potentially committing trespass or drilling without approval.

(2) SHUT DOWN.—After providing the due process hearing under paragraph (1), the Director shall shut down any well the owner or operator of which has been found to have intentionally committed trespass or drilling without approval.

(c) FINES; ROYALTY RATE PAYMENT.—

(1) IN GENERAL.—An owner or operator of a well that has been found to have committed trespass or drilling without approval (intentional or unintentional) under subsection (b) shall be subject to the following fines:

(A) MONETARY FINE.—The owner or operator shall be fined an amount equal to the cost the owner or operator incurred to drill and complete the well.

(B) ROYALTY RATE.—The owner or operator shall be fined an amount equal to the royalty rate the owner or operator would have paid to the Federal Government had the owner or operator secured approval to drill the well from the Bureau of Land Management.

(2) USE OF FINES.—

(A) IN GENERAL.—The Director shall use 25 percent of the revenues raised from the imposition of monetary fines under paragraph (1)(A) to fund programs in the Bureau of Land Management that increase prevention and enforcement of trespass or drilling without approval on Federal land.

(B) MONITORING AND ENFORCEMENT STANDARDS.—

(i) IN GENERAL.—In carrying out subparagraph (A), the Director shall standardize the monitoring and enforcement policies of the Bureau of Land Management, to be implemented across the regional offices of the Bureau of Land Management, to increase monitoring of drilling on Federal land.

(ii) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director shall submit to Congress a report on the efforts of the Director in carrying out clause (i).

(d) LIABILITY.—The owner or operator, including any subcontractor of the owner or operator, shall be liable for any claim or cause of action arising from the trespass or drilling without approval.

SA 11. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds that—

(1) rural communities are critical to the food supply and recreation opportunities of the United States;

(2) farming, fishing, forestry, and recreation in the rural communities of the United States are particularly vulnerable to changes in climate;

(3) the overwhelming majority of the scientific community agrees that global warming is real and predominantly attributable to human activity;

(4) climate change is already having devastating impacts to the rural communities of the United States;

(5) winter snow pack is decreasing, impacting agricultural producers who depend on irrigation;

(6) ocean acidity levels are increasing and ocean water temperatures are rising, impacting coastal fishermen; and

(7) the fire season in the Western United States is growing longer, impacting loggers and mill owners.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) climate change is real;

(2) the rural communities of the United States are and will be significantly impacted by climate change; and

(3) the United States should make it a priority to protect the rural communities and natural resources from the worst impacts of climate change.

SA 12. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MUR-

KOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . SENSE OF CONGRESS REGARDING THE SCIENTIFIC CONSENSUS ON CLIMATE CHANGE.

(a) FINDINGS.—Congress finds that—

(1) the National Oceanic and Atmospheric Administration (NOAA) and the National Aeronautics and Space Administration (NASA) agree that global warming is real and due to human activity;

(2) the National Academy of Sciences agrees that global warming is real and due to human activity;

(3) the American Association for the Advancement of Science agrees that global warming is real and due to human activity;

(4) the American Chemical Society agrees that global warming is real and due to human activity;

(5) the American Geophysical Union agrees that global warming is real and due to human activity;

(6) the American Medical Association agrees that global warming is real and due to human activity;

(7) the American Meteorological Society agrees that global warming is real and due to human activity;

(8) the American Physical Society agrees that global warming is real and due to human activity; and

(9) the Geological Society of America agrees that global warming is real and due to human activity.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress should take under due consideration advice from the leading scientific institutions in the United States; and

(2) global warming is real and due to human activity.

SA 13. Mr. MARKEY (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; as follows:

At the end of section 2, add the following:

(f) LIMITATION.—

(1) IN GENERAL.—Subject to paragraph (2), none of the crude oil and bitumen transported into the United States by the operation of the Keystone XL pipeline under the authority provided by subsection (a), and none of the refined petroleum fuel products originating from that crude oil or bitumen, may be exported from the United States.

(2) WAIVERS AUTHORIZED.—The President may waive the limitation described in paragraph (1) if—

(A) the President determines that a waiver is in the national interest because it—

(i) will not lead to an increase in domestic consumption of crude oil or refined petroleum products obtained from countries hostile to United States' interests or with political and economic instability that compromises energy supply security;

(ii) will not lead to higher costs to refiners who purchase the crude oil than the refiners would pay for crude oil in the absence of the waiver; and

(iii) will not lead to higher gasoline costs to consumers than consumers would pay in the absence of the waiver;

(B) an exchange of crude oil or refined product provides for no net loss of crude oil or refined product consumed domestically; or

(C) a waiver is necessary under the Constitution, a law, or an international agreement.

SA 14. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CRUDE OIL EXPORTS.

(a) REPEAL OF PRESIDENTIAL AUTHORITY TO RESTRICT OIL EXPORTS.—

(1) IN GENERAL.—Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) Section 12 of the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719j) is amended—

(i) by striking “and section 103 of the Energy Policy and Conservation Act”; and

(ii) by striking “such Acts” and inserting “that Act”.

(B) The Energy Policy and Conservation Act is amended—

(i) in section 251 (42 U.S.C. 6271)—

(I) by striking subsection (d); and

(II) by redesignating subsection (e) as subsection (d); and

(ii) in section 523(a)(1) (42 U.S.C. 6393(a)(1)), by striking “(other than section 103 thereof)”.

(b) REPEAL OF LIMITATIONS ON EXPORTS OF OIL.—

(1) IN GENERAL.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended—

(A) by striking subsection (u); and

(B) by redesignating subsections (v) through (y) as subsections (u) through (x), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 1107(c) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3167(c)) is amended by striking “(u) through (y)” and inserting “(u) through (x)”.

(B) Section 23 of the Deep Water Port Act of 1974 (33 U.S.C. 1522) is repealed.

(C) Section 203(c) of the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1652(c)) is amended in the first sentence by striking “(w)(2), and (x))” and inserting “(v)(2), and (w))”.

(D) Section 509(c) of the Public Utility Regulatory Policies Act of 1978 (43 U.S.C. 2009(c)) is amended by striking “subsection (w)(2)” and inserting “subsection (v)(2)”.

(c) REPEAL OF LIMITATIONS ON EXPORT OF OCS OIL OR GAS.—Section 28 of the Outer Continental Shelf Lands Act (43 U.S.C. 1354) is repealed.

(d) TERMINATION OF LIMITATION ON EXPORTATION OF CRUDE OIL.—Section 7(d) of the Export Administration Act of 1979 (50 U.S.C. App. 2406(d)) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) shall have no force or effect.

(e) CLARIFICATION OF CRUDE OIL REGULATION.—

(1) IN GENERAL.—Section 754.2 of title 15, Code of Federal Regulations (relating to crude oil) shall have no force or effect.

(2) CRUDE OIL LICENSE REQUIREMENTS.—The Bureau of Industry and Security of the Department of Commerce shall grant licenses to export to a country crude oil (as the term is defined in subsection (a) of the regulation referred to in paragraph (1)) (as in effect on

the date that is 1 day before the date of enactment of this Act) unless—

(A) the country is subject to sanctions or trade restrictions imposed by the United States; or

(B) the President or Congress has designated the country as subject to exclusion for reasons of national security.

SA 15. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **EXPEDITED APPROVAL OF EXPORTATION OF NATURAL GAS TO WORLD TRADE ORGANIZATION MEMBER COUNTRIES.**

(a) IN GENERAL.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking “(c) For purposes” and inserting the following:

“(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

“(1) DEFINITION OF WORLD TRADE ORGANIZATION MEMBER COUNTRY.—In this subsection, the term ‘World Trade Organization member country’ has the meaning given the term ‘WTO member country’ in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

“(2) EXPEDITED APPLICATION AND APPROVAL PROCESS.—For purposes”; and

(2) in paragraph (2) (as so designated), by inserting “or to a World Trade Organization member country” after “trade in natural gas”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to applications for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) that are pending on, or filed on or after, the date of enactment of this Act.

SA 16. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE II—NORTH AMERICAN ENERGY INFRASTRUCTURE

SEC. 201. SHORT TITLE.

This title may be cited as the “North American Energy Infrastructure Act”.

SEC. 202. FINDING.

Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of oil and natural gas pipelines and electric transmission facilities for the import and export of oil and natural gas and the transmission of electricity to and from Canada and Mexico, in pursuit of a more secure and efficient North American energy market.

SEC. 203. AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.

(a) AUTHORIZATION.—Except as provided in subsection (c) and section 207, no person may construct, connect, operate, or maintain a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico without obtaining a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment under this section.

(b) CERTIFICATE OF CROSSING.—

(1) REQUIREMENT.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment for which a request is received under this section, the Secretary of Energy, in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the national security interest of the United States.

(2) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—In the case of a request for a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing for the request under paragraph (1), that the cross-border segment of the electric transmission facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(A) the Electric Reliability Organization and the applicable regional entity; and

(B) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(c) EXCLUSIONS.—This section shall not apply to any construction, connection, operation, or maintenance of a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico—

(1) if the cross-border segment is operating for such import, export, or transmission as of the date of enactment of this Act;

(2) if a permit described in section 206 for such construction, connection, operation, or maintenance has been issued;

(3) if a certificate of crossing for such construction, connection, operation, or maintenance has previously been issued under this section; or

(4) if an application for a permit described in section 206 for such construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(A) the date on which such application is denied; or

(B) July 1, 2016.

(d) EFFECT OF OTHER LAWS.—

(1) APPLICATION TO PROJECTS.—Nothing in this section or section 207 shall affect the application of any other Federal statute to a project for which a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment is sought under this section.

(2) NATURAL GAS ACT.—Nothing in this section or section 207 shall affect the requirement to obtain approval or authorization under sections 3 and 7 of the Natural Gas Act for the siting, construction, or operation of any facility to import or export natural gas.

SEC. 204. IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.

Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: “No order is required under subsection (a) to authorize the export or import of any natural gas to or from Canada or Mexico.”

SEC. 205. TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.

(a) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking “insofar as such State regulation does not conflict with the exercise of the Commission’s powers under or relating to subsection 202(e)”.

(2) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a-4(b)) is amended by striking “the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary.”

SEC. 206. NO PRESIDENTIAL PERMIT REQUIRED.

No Presidential permit (or similar permit) required under Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, Executive Order No. 12038, Executive Order No. 10485, or any other Executive order shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any cross-border segment thereof.

SEC. 207. MODIFICATIONS TO EXISTING PROJECTS.

No certificate of crossing under section 203, or permit described in section 206, shall be required for a modification to the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of this Act;

(2) for which a permit described in section 206 for such construction, connection, operation, or maintenance has been issued; or

(3) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 203.

SEC. 208. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 203 through 207, and the amendments made by such sections, shall take effect on January 1, 2016.

(b) RULEMAKING DEADLINES.—Each relevant official described in section 203(b)(2) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 203; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 203.

SEC. 209. DEFINITIONS.

In this title—

(1) the term “cross-border segment” means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with either Canada or Mexico;

(2) the term “modification” includes a reversal of flow direction, change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term “natural gas” has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a);

(4) the term “oil” means petroleum or a petroleum product;

(5) the terms “Electric Reliability Organization” and “regional entity” have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and

(6) the terms “Independent System Operator” and “Regional Transmission Organization” have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

SA 17. Mr. FRANKEN (for himself, Ms. STABENOW, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; as follows:

After section 2, insert the following:

SEC. ____ . USE OF UNITED STATES IRON, STEEL, AND MANUFACTURED GOODS.

(a) **LIMITATION.**—Subject to subsection (b), to the maximum extent consistent with the obligations of the United States under international trade agreements, none of the iron, steel, or manufactured goods used in the construction of the Keystone XL Pipeline and facilities approved by this Act may be produced outside of the United States.

(b) **NONAPPLICATION.**—Subsection (a) shall not apply to the extent that the President finds that—

(1) iron, steel, and the applicable manufactured goods are not produced in the United States in sufficient and reasonably available quantities with a satisfactory quality; or

(2) inclusion of iron, steel, or any manufactured good produced in the United States will increase the cost of the iron, steel, or any manufactured good used in the Pipeline and facilities by more than 25 percent.

SA 18. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ____ . LIMITATION ON DESIGNATION OF NEW FEDERALLY PROTECTED LAND.

(a) **DEFINITION OF FEDERALLY PROTECTED LAND.**—In this section, the term “federally protected land” means any area designated or acquired by the Federal Government for the purpose of conserving historic, cultural, environmental, scenic, recreational, developmental, or biological resources.

(b) **FINDINGS REQUIRED.**—New federally protected land shall not be designated unless the Secretary, prior to the designation, publishes in the Federal Register—

(1) a finding that the addition of the new federally protected land would not have a negative impact on the administration of existing federally protected land; and

(2) a finding that, as of the date of the finding, sufficient resources are available to effectively implement management plans for existing units of federally protected land.

SA 19. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr.

FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ____ . CONSIDERATION OF GREENHOUSE GAS EMISSIONS IN NEPA REVIEWS.

In completing an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), a Federal agency shall not take into consideration greenhouse gas emissions.

SA 20. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON USE OF FUNDS FOR CERTAIN CONSERVATION AREAS.

The Secretary of the Interior shall not use Federal funds to acquire any land or interests in land for the Niobrara Confluence and Ponca Bluffs Conservation Areas unless the Secretary of the Interior solicits input from, and receives the consent of, the Governor and legislature of the State in which the land is located with respect to the acquisition.

SA 21. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . REGULATION OF PETROLEUM COKE AS A HAZARDOUS WASTE.

(a) **IN GENERAL.**—Section 3001(e) of the Solid Waste Disposal Act (42 U.S.C. 6921(e)) is amended by adding at the end the following:

“(3) **PETROLEUM COKE.**—As soon as practicable after the date of enactment of this paragraph and notwithstanding any other provision of this Act, the Administrator shall list as a hazardous waste under subsection (b)(1) petroleum coke.”

(b) **REQUIREMENTS FOR HANDLING AND TRANSPORTATION OF PETROLEUM COKE.**—Section 3003 of the Solid Waste Disposal Act (42 U.S.C. 6923) is amended by adding at the end the following:

“(d) **HANDLING AND TRANSPORTATION OF PETROLEUM COKE.**—As soon as practicable after the date of enactment of this subsection, the Administrator, in consultation with the Secretary of Transportation, shall promulgate regulations to ensure that any handler or transporter of petroleum coke stores the petroleum coke at all times in an enclosed building or container.”

(c) **DEFINITION OF HAZARDOUS SUBSTANCE.**—Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(14)) is amended in the second sentence by inserting

“(other than petroleum coke)” after “petroleum”.

SA 22. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

In section 2, strike subsection (e) and insert the following:

(e) **PRIVATE PROPERTY SAVINGS CLAUSE.**—

(1) **IN GENERAL.**—Nothing in this Act authorizes the use of condemnation to acquire land or an interest in land for the pipeline and cross-border facilities described in subsection (a).

(2) **WILLING SELLERS.**—Land or an interest in land for the pipeline and cross-border facilities described in subsection (a) may only be acquired from willing sellers.

SA 23. Mr. SANDERS (for himself, Mr. MENENDEZ, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . REBATES FOR PURCHASE AND INSTALLATION OF PHOTOVOLTAIC SYSTEMS.

(a) **DEFINITIONS.**—In this section:

(1) **PHOTOVOLTAIC SYSTEM.**—The term “photovoltaic system” includes—

(A) solar panels;

(B) roof support structures;

(C) inverters;

(D) an energy storage system, if the energy storage system is integrated with the photovoltaic system; and

(E) any other hardware necessary for the installation of a photovoltaic system.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

(b) **REBATES FOR PURCHASE AND INSTALLATION OF PHOTOVOLTAIC SYSTEMS.**—

(1) **IN GENERAL.**—The Secretary shall establish a program under which the Secretary shall provide rebates to eligible individuals or entities for the purchase and installation of photovoltaic systems for residential and commercial properties in order to install, over the 10-year period beginning on the date of enactment of this Act, not less than an additional 10,000,000 photovoltaic systems in the United States (as compared to the number of photovoltaic systems installed in the United States as of the date of enactment of this Act) with a cumulative capacity of not less than 60,000 megawatts.

(2) **ELIGIBILITY.**—

(A) **IN GENERAL.**—To be eligible for a rebate under this subsection—

(i) the recipient of the rebate shall be a homeowner, business, nonprofit entity, or State or local government that purchased and installed a photovoltaic system for a property located in the United States; and

(ii) the recipient of the rebate shall meet such other eligibility criteria as are determined to be appropriate by the Secretary.

(B) **OTHER ENTITIES.**—After public review and comment, the Secretary may identify other individuals or entities located in the United States that qualify for a rebate under this subsection.

(3) **AMOUNT.**—Subject to paragraph (4)(B) and the availability of appropriations under subsection (c), the amount of a rebate provided to an eligible individual or entity for the purchase and installation of a photovoltaic system for a property under this subsection shall be equal to the lesser of—

(A) 15 percent of the initial capital costs for purchasing and installing the photovoltaic system, including costs for hardware,

permitting and other “soft costs”, and installation; or

(B) \$10,000.

(4) **INTERMEDIATE REPORT.**—As soon as practicable after the end of the 5-year period beginning on the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress, and publish on the website of the Department of Energy, a report that describes—

(A) the number of photovoltaic systems for residential and commercial properties purchased and installed with rebates provided under this subsection; and

(B) any steps the Secretary will take to ensure that the goal of the installation of an additional 10,000,000 photovoltaic systems in the United States is achieved by 2025.

(5) **RELATIONSHIP TO OTHER LAW.**—The authority provided under this subsection shall be in addition to any other authority under which credits or other types of financial assistance are provided for installation of a photovoltaic system for a property.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 24. Mr. SANDERS (for himself, Mr. BENNET, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . SENSE OF CONGRESS REGARDING CLIMATE CHANGE.

It is the sense of Congress that Congress is in agreement with the opinion of virtually the entire worldwide scientific community that—

(1) climate change is real;

(2) climate change is caused by human activities;

(3) climate change has already caused devastating problems in the United States and around the world;

(4) a brief window of opportunity exists before the United States and the entire planet suffer irreparable harm; and

(5) it is imperative that the United States transform its energy system away from fossil fuels and toward energy efficiency and sustainable energy as rapidly as possible.

SA 25. Mr. MARKEY (for himself, Mr. WYDEN, Mr. WHITEHOUSE, Mr. DURBIN, Mr. MERKLEY, Mr. BOOKER, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . INCLUSION OF OIL DERIVED FROM TAR SANDS AS CRUDE OIL.

This Act shall not take effect prior to the date that diluted bitumen and other bituminous mixtures derived from tar sands or oil sands are treated as crude oil for purposes of section 4612(a)(1) of the Internal Revenue Code of 1986, which may be established either by an Act of Congress or any regulations, rules, or guidance issued by the Commissioner of the Internal Revenue Service or the Secretary of the Treasury (or the Secretary's delegate).

SA 26. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ . FINDINGS; SENSE OF THE SENATE.

(a) **FINDINGS.**—The Senate finds that—

(1) the oil and gas found on Federal land is a national resource that belongs to the American public;

(2) the Government Accountability Office has found that significant volumes of public resources are wasted unnecessarily through the venting, flaring, and leaking of natural gas in the production of oil and gas on Federal land;

(3) the Government Accountability Office has found that approximately 40 percent of that vented, flared, and leaked natural gas is economically recoverable with available technologies;

(4) the Department of the Interior does not, in general, require royalties to be paid on vented, flared, and leaked natural gas from oil and gas production on Federal land;

(5) the Government Accountability Office has estimated that about \$23,000,000 in revenue is lost annually because of royalties not paid to the Federal Government on vented, flared, and leaked natural gas; and

(6) methane is a greenhouse gas 86 times more potent than carbon dioxide when measured over a 20-year period.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) the oil and gas produced on Federal land should be produced with minimal waste and air pollution; and

(2) taxpayers should receive full value for the use of public oil and gas resources.

SA 27. Mr. WYDEN (for himself, Mr. BENNET, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Mr. NELSON, Ms. STABENOW, Mr. MENENDEZ, Mr. SCHUMER, Mr. MARKEY, Mr. MERKLEY, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CLARIFICATION OF TAR SANDS AS CRUDE OIL FOR EXCISE TAX PURPOSES.

(a) **IN GENERAL.**—Paragraph (1) of section 4612(a) of the Internal Revenue Code of 1986 is amended to read as follows:

“(1) **CRUDE OIL.**—The term ‘crude oil’ includes crude oil condensates, natural gasoline, synthetic petroleum, any bitumen or bituminous mixture, any oil derived from a bitumen or bituminous mixture, and any oil derived from kerogen-bearing sources.”

(b) **TECHNICAL AMENDMENT.**—Paragraph (2) of section 4612(a) of such Code is amended by striking “from a well located”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to oil and petroleum products received, entered, used, or exported during calendar quarters beginning more than 60 days after the date of the enactment of this Act.

SA 28. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . CAMPAIGN FINANCE DISCLOSURES BY THOSE PROFITING FROM TAR SANDS DEVELOPMENT.

(a) **IN GENERAL.**—Section 304 of the Federal Election Campaign Act of 1974 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

“(j) **DISCLOSURE BY TAR SANDS BENEFICIARIES.**—

“(1) **IN GENERAL.**—

“(A) **INITIAL DISCLOSURE.**—Every covered entity which has made covered disbursements and received covered transfers in an aggregate amount in excess of \$10,000 during the period beginning on January 1, 2013, and ending on the date that is 165 days after the date of the enactment of this subsection shall file with the Commission a statement containing the information described in paragraph (2) not later than the date that is 180 days after the date of the enactment of this subsection.

“(B) **SUBSEQUENT DISCLOSURES.**—Every covered entity which makes covered disbursements (other than covered disbursement reported under subparagraph (A)) and received covered transfers (other than a covered transfer reported under subparagraph (A)) in an aggregate amount in excess of \$10,000 during any calendar year shall, within 48 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

“(2) **CONTENTS OF STATEMENT.**—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

“(A) The identification of the person making the disbursement or receiving the transfer, of any person sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement or receiving the transfer.

“(B) The principal place of business of the person making the disbursement or receiving the transfer, if not an individual.

“(C) The amount of each disbursement or transfer of more than \$200 during the period covered by the statement and the identification of the person to whom the disbursement was made or from whom the transfer was received.

“(D) The elections to which the disbursements or transfers pertain and the names (if known) of the candidates involved.

“(E) If the disbursements were paid out of a segregated bank account which consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) directly to this account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of \$1,000 or more to that account during—

“(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

“(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

Nothing in this subparagraph is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than covered disbursements.

“(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of \$1,000 or more to the person making the disbursement during—

“(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

“(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

“(3) **COVERED ENTITY.**—For purposes of this subsection—

“(A) **IN GENERAL.**—The term ‘covered entity’ means—

“(i) any person who is described in subparagraph (B), and

“(ii) any person who owns 5 percent or more of any person described in subparagraph (B).

“(B) PERSON DESCRIBED.—A person is described in this subparagraph if such person—

“(i) holds one or more tar sands leases, or

“(ii) has received revenues or stands to receive revenues of \$1,000,000 or greater from tar sands production, including revenues received in connection with—

“(I) exploration of tar sands;

“(II) extraction of tar sands;

“(III) processing of tar sands;

“(IV) building, maintaining, and upgrading the Keystone XL pipeline and other related pipelines used in connection with tar sands;

“(V) expanding refinery capacity or building, expanding, and retrofitting import and export terminals in connection with tar sands;

“(VI) transportation by pipeline, rail, and barge of tar sands;

“(VII) refinement of tar sands;

“(VIII) importing crude, refined oil, or byproducts derived from tar sands crude;

“(IX) exporting crude, byproducts, or refined oil derived from tar sands crude; and

“(X) use of production byproducts from tar sands, such as petroleum coke for energy generation.

“(C) TAR SANDS.—For purposes of this paragraph, the term ‘tar sands’ means bitumen from the West Canadian Sedimentary Basin.

“(4) COVERED DISBURSEMENT.—For purposes of this subsection, the term ‘covered disbursement’ means a disbursement for any of the following:

“(A) An independent expenditure.

“(B) A broadcast, cable, or satellite communication (other than a communication described in subsection (f)(3)(B)) which—

“(i) refers to a clearly identified candidate for Federal office;

“(ii) is made—

“(I) in the case of a communication which refers to a candidate for an office other than President or Vice President, during the period beginning on January 1 of the calendar year in which a general or runoff election is held and ending on the date of the general or runoff election (or in the case of a special election, during the period beginning on the date on which the announcement with respect to such election is made and ending on the date of the special election); or

“(II) in the case of a communication which refers to a candidate for the office of President or Vice President, is made in any State during the period beginning 120 days before the first primary election, caucus, or preference election held for the selection of delegates to a national nominating convention of a political party is held in any State (or, if no such election or caucus is held in any State, the first convention or caucus of a political party which has the authority to nominate a candidate for the office of President or Vice President) and ending on the date of the general election; and

“(iii) in the case of a communication which refers to a candidate for an office other than President or Vice President, is targeted to the relevant electorate (within the meaning of subsection (f)(3)(C)).

“(C) A transfer to another person for the purposes of making a disbursement described in subparagraph (A) or (B).

“(5) COVERED TRANSFER.—For purposes of this subsection, the term ‘covered transfer’ means any amount received by a covered entity for the purposes of making a covered disbursement.

“(6) DISCLOSURE DATE.—For purposes of this subsection, the term ‘disclosure date’ means—

“(A) the first date during any calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of \$10,000; and

“(B) any other date during such calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of \$10,000 since the most recent disclosure date for such calendar year.

“(7) CONTRACTS TO DISBURSE; COORDINATION WITH OTHER REQUIREMENTS; ETC.—Rules similar to the rules of paragraphs (5), (6), and (7) of subsection (f) shall apply for purposes of this subsection.”.

SA 29. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

On page 3, between lines 19 and 20, insert the following:

SEC. ____ SENSE OF THE SENATE REGARDING CLIMATE CHANGE.

It is the sense of the Senate that climate change is real and not a hoax.

SA 30. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

Beginning on page 2, strike line 24 and all that follows through page 3, line 10, and insert the following:

(d) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing

SA 31. Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ____ SENSE OF THE SENATE ON GLOBAL CLIMATE CHANGE.

It is the sense of the Senate that—

(1) human activity significantly contributes to climate change; and

(2) economically reasonable steps should be taken to generate energy with less carbon pollution.

SA 32. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ APPLICATIONS FOR PERMITS TO DRILL REFORM AND PROCESS.

Section 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is amended by striking paragraph (2) and inserting the following:

“(2) APPLICATIONS FOR PERMITS TO DRILL REFORM AND PROCESS.—

“(A) TIMELINE.—

“(i) IN GENERAL.—The Secretary shall decide whether to issue a permit to drill not later than 30 days after receiving an application for the permit.

“(ii) EXTENSION.—The Secretary may extend the period in clause (i) for up to 2 periods of 15 days each, if the Secretary has given written notice of the delay to the applicant.

“(iii) NOTICE REQUIREMENTS.—Written notice under clause (ii) shall—

“(I) be in the form of a letter from the Secretary or a designee of the Secretary; and

“(II) include the names and titles of the persons processing the application, the specific reasons for the delay, and a specific date a final decision on the application is expected.

“(B) NOTICE OF REASONS FOR DENIAL.—If the application is denied, the Secretary shall provide the applicant—

“(i) in writing, clear and comprehensive reasons why the application was not accepted and detailed information concerning any deficiencies; and

“(ii) an opportunity to remedy any deficiencies.

“(C) APPLICATION CONSIDERED APPROVED.—

“(i) IN GENERAL.—If the Secretary has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, the application is considered approved, except in cases in which existing reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) are incomplete.

“(ii) ENVIRONMENTAL REVIEWS.—Existing reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall be completed not later than 180 days after receiving an application for the permit.

“(iii) FAILURE TO COMPLETE.—If all existing reviews are not completed during the 180-day period described in clause (ii), the project subject to the application shall be considered to have no significant impact in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) and section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) and that classification shall be considered to be a final agency action.

“(D) DENIAL OF PERMIT.—If the Secretary decides not to issue a permit to drill in accordance with subparagraph (A), the Secretary shall—

“(i) provide to the applicant a description of the reasons for the denial of the permit;

“(ii) allow the applicant to resubmit an application for a permit to drill during the 10-day period beginning on the date the applicant receives the description of the denial from the Secretary; and

“(iii) issue or deny any resubmitted application not later than 10 days after the date the application is submitted to the Secretary.

“(E) FEE.—

“(i) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall collect a single \$6,500 permit processing fee per application from each applicant at the time the final decision is made whether to issue a permit under subparagraph (A).

“(ii) RELATIONSHIP TO RESUBMITTED APPLICATIONS.—A fee collected under clause (i) shall not apply to any resubmitted application.

“(iii) TREATMENT OF PERMIT PROCESSING FEE.—Of the total amount of fees collected under this subparagraph, 50 percent shall be

transferred to the field office at which the fees are collected and used by the field offices to process protests, leases, and permits under this Act subject to appropriation.

“(F) JUDICIAL REVIEW.—Actions of the Secretary carried out in accordance with this paragraph shall not be subject to judicial review.”.

SA 33. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AWARD OF LITIGATION COSTS TO PREVAILING PARTIES IN ACCORDANCE WITH EXISTING LAW.

Section 11(g)(4) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)(4)) is amended by striking “to any” and all that follows through the end of the sentence and inserting “to any prevailing party in accordance with section 2412 of title 28, United States Code.”.

SA 34. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DISCLOSURE OF EXPENDITURES UNDER ENDANGERED SPECIES ACT OF 1973.

(a) REQUIREMENT TO DISCLOSE.—Section 13 of the Endangered Species Act of 1973 (87 Stat. 902; relating to conforming amendments which have executed) is amended to read as follows:

“SEC. 13. DISCLOSURE OF EXPENDITURES.

“(a) REQUIREMENT.—The Secretary of the Interior, in consultation with the Secretary of Commerce, shall—

“(1) not later than 90 days after the end of each fiscal year, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report detailing Federal Government expenditures for covered suits during the preceding fiscal year (including the information described in subsection (b)); and

“(2) make publicly available through the Internet a searchable database of the information described in subsection (b).

“(b) INCLUDED INFORMATION.—The report shall include—

“(1) the case name and number of each covered suit, and a hyperlink to the record or decision for each covered suit (if available);

“(2) a description of the claims in each covered suit;

“(3) the name of each covered agency whose actions gave rise to a claim in a covered suit;

“(4) funds expended by each covered agency (disaggregated by agency account) to receive and respond to notices referred to in section 11(g)(2) or to prepare for litigation of, liti-

gate, negotiate a settlement agreement or consent decree in, or provide material, technical, or other assistance in relation to, a covered suit;

“(5) the number of full-time equivalent employees that participated in the activities described in paragraph (4); and

“(6) attorneys fees and other expenses (disaggregated by agency account) awarded in covered suits, including any consent decrees or settlement agreements (regardless of whether a decree or settlement agreement is sealed or otherwise subject to nondisclosure provisions), including the bases for such awards.

“(c) REQUIREMENT TO PROVIDE INFORMATION.—The head of each covered agency shall provide to the Secretary in a timely manner all information requested by the Secretary to comply with the requirements of this section.

“(d) LIMITATION ON DISCLOSURE.—Notwithstanding any other provision of this section, this section shall not affect any restriction in a consent decree or settlement agreement on the disclosure of information that is not described in subsection (b).

“(e) DEFINITIONS.—

“(1) COVERED AGENCY.—The term ‘covered agency’ means any agency of the Department of the Interior, the Forest Service, the National Marine Fisheries Service, the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, or the Southeastern Power Administration.

“(2) COVERED SUIT.—The term ‘covered suit’ means any civil action containing a claim against the Federal Government, in which the claim arises under this Act and is based on the action of a covered agency.”.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by striking the item relating to such section and inserting the following:

“Sec. 13. Disclosure of expenditures.”.

(c) PRIOR AMENDMENTS NOT AFFECTED.—This section shall not be construed to affect the amendments made by section 13 of such Act, as in effect before the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 13, 2015, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Joseph Majkut, who is an American Association for the Advancement of Science fellow in my office, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, on behalf of the Democratic leader, I ask unanimous consent that Neysa Call, a fellow in Senator REID's office, be granted floor privileges for the remainder of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 7, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 7) providing for a joint session of Congress to receive a message from the President.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 7) was agreed to.

MEASURE READ THE FIRST TIME—H.R. 33

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 33) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

DISCHARGE AND REFERRAL—S. 32

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill S. 32 be discharged from the Committee on Finance and that it be referred to the Committee on the Judiciary.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, JANUARY 16, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Friday, January 16; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and the Senate resume consideration of S. 1 as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. We were able to reach an agreement to proceed to the Keystone bill this afternoon and start processing amendments to this bipartisan jobs and infrastructure bill. There are several amendments pending from Senators on both sides of the aisle, and I would encourage everyone to work with Senator MURKOWSKI and Senator CANTWELL to get in the queue for consideration.

The next votes will occur on Tuesday, January 20, following the weekly conference meetings.

ADJOURNMENT UNTIL FRIDAY, JANUARY 16, 2015, AT 9:30 A.M.

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:36 p.m., adjourned until Friday, January 16, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ALISSA M. STARZAK, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY, VICE BRAD CARSON, RESIGNED.

FEDERAL DEPOSIT INSURANCE CORPORATION

JAY NEAL LERNER, OF ILLINOIS, TO BE INSPECTOR GENERAL, FEDERAL DEPOSIT INSURANCE CORPORATION, VICE JON T. RYMER, RESIGNED.

FEDERAL MARITIME COMMISSION

MARIO CORDERO, OF CALIFORNIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2019. (REAPPOINTMENT)

DEPARTMENT OF TRANSPORTATION

DANIEL R. ELLIOTT III, OF OHIO, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2018. (REAPPOINTMENT)

CARLOS A. MONJE, JR., OF LOUISIANA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE POLLY TROTTERBERG, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

JOYCE A. BARR, OF WASHINGTON
ROBERT F. GODEC, JR., OF VIRGINIA
PATRICIA M. HASLACH, OF VIRGINIA
PAUL WAYNE JONES, OF NEW YORK
SCOT ALAN MARCIEL, OF VIRGINIA
NANCY E. MCELDOWNEY, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER-MINISTER:

KAREN L. FREEMAN, OF VIRGINIA
RICHARD S. GREENE, OF VIRGINIA
JOHN GROARKE, OF THE DISTRICT OF COLUMBIA
THOMAS CHRISTOPHER MILLIGAN, OF THE DISTRICT OF COLUMBIA
MONICA STEIN-OLSON, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

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DAVID J. BARTH, OF VIRGINIA
JERRY PAUL BISSON, OF VIRGINIA
ALEXANDRE DEPREEZ, OF FLORIDA
AZZA EL-ABD, OF THE DISTRICT OF COLUMBIA
STEPHANIE A. FUNK, OF FLORIDA
R. DAVID HARDEN, OF MARYLAND
STEPHEN M. HAYKIN, OF WASHINGTON
KAREN LOUISE RUFFING HILLIARD, OF FLORIDA
SARAH-ANN LYNCH, OF MARYLAND
PETER R. NATIELLO, OF FLORIDA
DIANA B. PUTMAN, OF CONNECTICUT
JAMES E. WATSON II, OF VIRGINIA
MARK ANTHONY WHITE, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

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CHRISTIAN D. BARRATT, OF WASHINGTON
CAROLYN B. BRYAN, OF VIRGINIA
FERNANDO COSSICH, OF FLORIDA
AMAN S. DJAHANBANI, OF MARYLAND
BRUCE GELBAND, OF VIRGINIA
ERIN HOLLERAN, OF MISSOURI
F. CATHERINE JOHNSON, OF VIRGINIA
SEAN M. JONES, OF FLORIDA
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MONICA SMITH, OF NEW YORK
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KATHRYN DAVIS STEVENS, OF VIRGINIA
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ELLEN MARIE ZEHR, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

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LARRY EDWARD ANDRE, JR., OF TEXAS
ELIZABETH MOORE AUBIN, OF MARYLAND
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DUANE CLEMENS BUTCHER, JR., OF VIRGINIA
WILLIAM BRENT CHRISTENSEN, OF VIRGINIA
SANDRA ELIANE CLARK, OF VIRGINIA
MARK J. DAVIDSON, OF THE DISTRICT OF COLUMBIA
JOHN PAUL DESROCHER, OF THE DISTRICT OF COLUMBIA
BENJAMIN BEARDSLEY DILLE, OF MINNESOTA
BRUCE E. DONAHUE, OF VIRGINIA
WILLIAM H. DUNCAN, OF TEXAS
JOHN MARTIN EUSTACE, JR., OF VIRGINIA
CHRISTOPHER FITZGERALD, OF IOWA
LAWRENCE W. GERSON, OF TEXAS
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WILLIAM KEVIN GRANT, OF VIRGINIA
KRISTIN M. HAGERSTRAM, OF LOUISIANA
MATTHEW TRACY HARRINGTON, OF GEORGIA
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SIMON HENSHAW, OF VIRGINIA
CHRISTOPHER PAUL HENZEL, OF NEW YORK
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MICHAEL MCCARTHY, OF VIRGINIA
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JUDITH A. MOON, OF VIRGINIA
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LAWRENCE ROBERT SILVERMAN, OF VIRGINIA
SUSAN N. STEVENSON, OF VIRGINIA
KEVIN KING SULLIVAN, OF VIRGINIA
LYNNE M. TRACY, OF OHIO
BRUCE IRVIN TURNER, OF FLORIDA
CONRAD WILLIAM TURNER, OF VIRGINIA
KAREN L. WILLIAMS, OF FLORIDA

BRIAN WILLIAM WILSON, OF WASHINGTON
CHARLES E. WRIGHT, OF CALIFORNIA
HOYT B. YEE, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

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COLLEEN ANNE HOBY, OF CALIFORNIA
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GEORGE HAMILL HOGEMAN, OF VIRGINIA
ERIK ANDERS HOLM-OLSEN, OF NEW JERSEY
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THOMAS JOSEPH NICHOLAS PIERCE, OF NEW YORK
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WOODWARD CLARK PRICE, OF PENNSYLVANIA
VANGALA S. RAM, OF VIRGINIA
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SONJA KAY RIX, OF NEBRASKA
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NORMAN THATCHER SCHARPF, OF THE DISTRICT OF COLUMBIA
JULIE LYN SCHECHTER-TORRES, OF MARYLAND
TIMOTHY MARTIN SCHERER, OF VIRGINIA
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NICOLE DAYAN SHAMPAINE, OF CALIFORNIA
BRIAN WESLEY SHUKAN, OF MASSACHUSETTS
ROBERT SILBERSTEIN, OF VIRGINIA
WILLIAM RYON SILKWORTH, OF VIRGINIA
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TIMOTHY M. STATER, OF FLORIDA
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HOWARD ANDREE VAN VRANKEN, OF CALIFORNIA
HALE COLBURN VANKOUGHNETT, OF RHODE ISLAND
STEVEN CRAIG WALKER, OF HAWAII
JAN LIAM WASLEY, OF NEW JERSEY
SCOTT D. WEINHOLD, OF VIRGINIA
STACY ELIZABETH WHITE, OF TEXAS
ANDREW TOWNSEND WIENER, OF TEXAS
SAU CHING YIP, OF VIRGINIA
ANDREW ROBERT YOUNG, OF CALIFORNIA
DAVID J. YOUNG, OF VIRGINIA
RICARDO F. ZUNIGA, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

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DANIEL SYLVESTER CRONIN, OF VIRGINIA
CHAYAN C. DEY, OF FLORIDA
PETER T. GABRIN, OF NEW MEXICO
DAVID W. HALL, OF MASSACHUSETTS
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MICHAEL J. MORRIS, OF VIRGINIA
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ALEXANDER L. RALEY, OF VIRGINIA
DOMINIC A. SABRUNO, OF FLORIDA
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SUSAN M. WELSBY, OF THE DISTRICT OF COLUMBIA
K. ANDREW WROBLEWSKI, OF VIRGINIA
STEPHEN ARTHUR YOUNG, OF FLORIDA
TODD R. ZICCARELLI, OF NEW YORK

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE APRIL 15, 2014:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DOUGLAS A. KONEFF, OF MARYLAND

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 1, 2012:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DANIEL MENDO HIRSCH, OF MARYLAND

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RODRICK A. KOCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMES F. RICHEY

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

CYNTHIA AITAHOLMES
ANN BEHREND
STEPHANIE CALHOUNJAMISON
MYUNGSOOK CHO
KENNETH J. ERLEY
TINA R. JONESFAISON
STACY L. LARSEN
ADAM J. MCKISSOCK
NEIL E. MOREY
JASON C. STRANGE
MICHAEL S. TROUT
RYAN J. WANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY

MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DONALD W. ALGEO
DOUGLAS A. BADZIK
RICARDO M. BURGOS
MARK G. CARMICHAEL
MARIO CAYCEDO
MATTHEW A. CODY
JAMES V. CRAWFORD
SCOTT R. DALTON
COLIN Y. DANIELS
KEPLER A. DAVIS
ROBERT W. DAVIS
ALAN J. DEANGELO
RHONDA DEEN
JAMES A. DICKERSON II
JESS D. EDISON
MICHAEL W. ELLIS
LISA M. FOGLEIA
JASON A. FRIEDMAN
DAVID Y. GAITONDE
VINAYA A. GARDE
STEVEN J. GAYDOS
RODNEY S. GONZALEZ
SCOTT R. GRIFFITH
DAVID D. HAIGHT
KATRINA D. HALL
MARLA R. HEMPHILL
DUANE R. HENNION
DAVID S. HEPPNER
MARC E. HUNT
ANTHONY E. JOHNSON
JEREMIAH J. JOHNSON
ANDREW C. KIM
CHRISTINE E. LANG
CHRISTOPHER J. LETTIERI
FELISA S. A. LEWIS
PETER A. LINDENBERG
YINCE LOH
ROBERT L. MABRY
MARSHALL J. MALINOWSKI
JAMES D. MANCUSO
BRYANT G. MARCHANT
STEWART C. MCCARVER
COLIN A. MEGHOO
JOHN S. OH
ROBERT C. OH
ERIK C. OSBORN
JOHN J. OSBORN
BRETT D. OWENS
LAURA A. PACHA
MAUREN M. PETERSEN
SCOTT M. PETERSEN
ROBERT C. PRICE
TRAVIS B. RICHARDSON
MARK A. ROBINSON
RICHARD C. RUCK II
SCOTT A. SALMON
RICHARD R. SMITH
TIMOTHY M. STRAIGHT
JONATHAN C. TAYLOR
CHRISTOPHER E. TEBROCK
SIMON H. TELIAN
BRIGILDA C. TENEZA
CREIGHTON C. TUBB

TODD C. VILLINES
WENDI M. WAITS
CHRISTOPHER H. WARNER
CHRISTOPHER E. WHITE
AMY L. H. YOUNG

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSHUA B. ROBERTS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MORRIS A. DESIMONE III
RONALD J. ROSTEK, JR.
ANDREW R. STRAUSS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STEVEN P. HULSE
ANTHONY C. LYONS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

HENRY C. BODDEN

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRIAN L. WHITE

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WILLIAM E. LANHAM

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STEVEN R. LUCAS
JAMES N. SHELSTAD